

IN THE COURT OF MIAN MOHAMMAD JAHANGIER,
SESSIONS JUDGE, LAHORE.



SESSIONS CASE NO. 60 OF 1998

SESSIONS TRIAL NO 3 OF 2000.

STATE

VERSUS

MOHAMMAD YOUSAF ALI
s/o Wazir Ali, caste Rajput,
resident of Kothi No.218-Q
Defence Society, Lahore.

CASE FIR NO.70/97 DATED 29-3-1997
OFFENCES UNDER SECTIONS 295-C
295-A, 298, 298-A, 505 PART-II, 508,420
406 PPC AND SECTIONS 18 READ WITH
SECTION10 OF OFFENCE OF ZINA
(ENFORCEMENT OF HUDOOD)
ORDINANCE NO.VII OF 1979
POLICE STATION MILLAT PART, LAHORE.

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سید کاظم علی
سیشن جج لاہور

JUDGMENT.

Keeping in view the importance of this case the judgment is being written in a different style because the evidence of both the parties, oral in nature, is being reproduced in verbatim so that the Reader of this judgment should not feel necessity to think as to what was the evidence on basis of which this judgment has been passed.

2. Muhammad Yousaf Ali, accused, has been sent up by Police Station Millat Park to face trial under Sections 295-C, 295-A, 298, 298-A, 505-Part-II, 508, 420, 406 PPC and Section 18 read with Section 10 of Offence of Zina (Enforcement of Hudood) Ordinance, 1979 for the

allegation that while claiming and posing himself to have resemblance with the Holy Prophet Hazrat Muhammad (Peace Be Upon Him) announced by words spoken, written and by visible representation through Audio and Video Cassettes and said 'Anna Mohammad' and continuity of Holy Prophet Hazrat Mohammad (Peace Be Upon Him) and declared his family members as 'Ahle-Bayat' and his followers as 'Shahab-e-Rasool' and expressed above views in a Majlis i.e 'Sermon of Juma' in Baytul-Raza Mosque situated in Chowk Yateem Khana, within the jurisdiction of Police Station Millat Park, Lahore on 28-2-1997 and being so he, by deceitful means and impersonation involved himself in attempts to commit zina with innocent girls at large and extorted/grabbed huge amounts.

3. Charges under Sections 295-C, 295-A, 298, 298-A, 505-Part-II, 508, 420, 406 PPC and Section 18 read with Section 10 of Offence of Zina (Enforcement of Hudood) Ordinance, 1979 were framed against the accused, to which he pleaded not guilty and claimed for trial. Anyhow, the charges, in original form, are as under:-

CASE FIR NO.70/97 DATED 29-3-1997 OFFENCES UNDER SECTIONS 295-C, 295(A), 298, 298(A), 505-PART-II, 508, 420, 406 PPC AND SECTION 18 READ WITH SECTION 10 OF OFFENCE OF ZINA (ENFORCEMENT OF HUDDOD) ORDINANCE, 1979. POLICE STATION MILLAT PART, LAHORE. CHARGE- SHEET.

I, Mian Muhammad Jahangir, Sessions Judge, Lahore charge you:-

"Muhammad Yousaf Ali son of Wazir Ali, caste Rajput, resident of Kothi No.218-C Defence Society, Lahore" as under:-

That you frequently while claiming and posing yourself to have resemblance with the Holy Prophet Hazrat Mohammad (Peace Be Upon Him) announced by words spoken, written and by visible representation through Audio and Video Cassettes that you are identical as such by saying 'Anna Mohammad' and continuity of Holy Prophet Hazrat Mohammad (Peace Be Upon Him) and your family members as 'Ahl-e-Bayat' and your followers 'Sahab-e-Rasool' and you expressed your determination and views of being the continuity of Holy Prophet Hazrat Mohammad (Peace Be Upon Him) in a Majlis i.e 'Khutba Juma' in 'Bayat-ul-Raza Mosque situated in Chowk Yateemkhana, Lahore within the area of P.S Millat Park on 28-2-1997 and being so you by deceitful means and impression involved yourself in attempts to commit zina with innocent girls at large and collected huge amount and thereby you committed the offences punishable under Sections 295-C,

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295-A, 298, 298-A, 505-Part-II, 508, 420, 406 PPC and Section 18 read with Section 10 of Offence of Zina (Enforcement of Hudood) Ordinance, 1979, which are within the cognizance of this court. And I hereby direct that you be tried by this court for the above mentioned charges.

3-2-2000.

It is certified that the charge has been read over and explained to the accused. Let his statement be recorded.

3-2-2000.

Statement of Muhammad Yousaf Ali, accused,
without oath.

Q-1. Have you heard and understood the charge?

Ans. Yes.

Q-2. Do you plead guilty to the charges framed against you?

Ans. No.

Q-3. Will you produce evidence in your defence?

Ans. Yes, if necessary.

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3-2-2000.

4. In short, the prosecution case, as disclosed in the statement Exh PC dated 26-3-1997 of Mohammad Ismail Shujaabadi, complainant/Secretary General of 'Aalmi Majlis Khatam-Nabuwat, Lahore Branch' is that he alleged that Mohammad Yousaf Ali resident of Defence Area is a cunning and fraudulent, who by claiming as Prophet for himself is deceiving the people about which his writings, diary and Cassette of speech are available with him; that Mohammad Yousaf Ali has claimed to have resemblance with Hazrat Mohammad Mustafa (Peace Be Upon Him) and Rasool of this era, he has declared his family members as 'Ahl-e-Bayat' and his blind followers 'Motqadeen' as 'Ashab-e-Rasool', as a consequence of which, the sentiments of the Muslims have flared up that he has attempted to commit zina with virgin and married girls; that he has received 'Nazar' and 'Nazrana' (gifts) in lacs from his blind followers about which there are eye witnesses; that a photo copy of his diary in which he defiled the name of Holy Prophet (Peace

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Be Upon Him) is also available; that besides it the Cassettes of his speech and pages of his diary shall be produced, therefore, for the allegation of defiling the sacred Name of Holy Prophet (Peace Be Upon Him) and for other crimes a case be registered against Mohammad Yousaf Ali and that he has expressed his such views by delivering sermon 'Khutba Juma' in mosque 'Baitul Raza' near Chowk Yateemkhana, Lahore on 28-2-1997. So on the basis of this complaint, the above said case was registered at Police Station Millat Park, Lahore on 29-3-1997 and the formal FIR Exh.PC/1 was drafted by Riaz Ahmed, S.I.

5. After registration of the case, the investigation was conducted by Riaz Ahmed, S.I. and Khushi Mohammad, S.I.

6. When Riaz Ahmed, S.I/CIA Sadar (PW-13) conducted investigation of this case, one Audio Cassette Exh.P-1, Video Cassette Exh.P-2 and 22 pages of diary Exh.P-3/1-22 were produced before him by the complainant in the presence of Maulana Zafarullah Shafique and Abdul Ghaffar and he took these articles into possession vide recovery memo Exh.PD. Then he recorded the supplementary statement of Mohammad Ismail Shaujaabadi and the statements of other prosecution witnesses. He went alongwith the complainant to the mosque 'Baitul Raza' situated in Chowk Yateemkhana, Lahore. He inspected the spot and prepared rough sketch Exh. PG During spot inspection, he recorded the statements of Mumtaz Awan, Mian Mohammad Awais, Mohammad Afzal and Shaukat Ali, the prosecution witnesses. After hearing the audio cassette he recorded the transcript of the same in Zimni dated 30-3-1997. Then he got the transcript (Exh.P-10/1-10) prepared through Waqar, S.I of Special Branch. Anyhow, on 07-4-1997 the investigation was transferred from him to another officer. After conducting the investigation, his opinion was that Yousaf, accused, has claimed himself to the Holy Prophet (Peace Be Upon Him) and that he had termed his colleagues as 'Sahabe-e-Rasool' He could not arrest Yousaf, accused because Yousaf, accused, was confined in Sub-Jail Chung. So he wrote in the zimni that after obtaining the permission from the competent court, the accused Yousaf shall be joined in the investigation..

7. Then the investigation was transferred to Khushi Mohammad, S.I (PW-14) on 7-4-1997. Mohammad Nawaz, S.I produced Yousaf Ali, accused, before him. Yousaf, accused was

in the investigation of this case. He refused to make statement but he requested for his

safety because he felt danger to his life. So Yousaf Ali was confined at Police Station Muslim Town for his safety, where he was provided all necessities of life. While inspecting the file he studied the transcript of the Audio Cassette and Video Cassette. On 10-4-1997, Yousaf, accused, was joined in the investigation of this case and then he got his statement recorded. After recording the statement of Yousaf, accused, hearing the Audio Cassette and seeing the Video Cassette, sufficient material had come on record, as a consequence of which Yousaf, accused, was arrested in this case and his physical remand was obtained. On 14-4-1997, when Khushi Mohammad, S.I was present at Police Station Muslim Town, Lahore, he recorded the statements of Sajid Munir Dar and Sohail Ahmed, the prosecution witnesses. On 16-4-1997, he received Magazine known as 'Takbeer' No.13 P-9/1-52 vide letter No.1694 DSP (Legal) dated 14-4-1997 Exh.PH and on 17-4-1997 he recorded the statement of Abdul Ghaffar, Deputy Editor, Daily 'Khabrain', Multan when he appeared before him at Police Station Millat Park. On 18-4-1997, Athar Iqbal, PW appeared before him and he produced Video Cassette P-5, which he took into his possession vide memo Exh.PE, which was attested by Athar, PW, and others. He recorded the statements of Saeed Zafar and Amanat Ali, Constables. He also recorded the statement of Athar Iqbal. He recorded the transcript of both Videos, as mentioned above, in the zimni. Then he got translated Audio and Video Cassettes above from Mohammad Sarwar, PW, through Computer, which was attached with the file as P-10/1-10 and P-11/1-10 and P-12/1-19.

8. At this stage, the learned defence counsel raised the objections as follows:

- i) that since the Audio/Video Cassettes, which are the basic source of these transcripts are inadmissible, therefore, the transcripts are also inadmissible in evidence,
- ii) That the maker of these transcripts was not confronted whether if it is the same transcripts, hence, it is inadmissible and therefore, cannot be tendered in evidence. This objection shall be examined at the stage of final arguments. The statement is to continued.

Then on 19-4-1997, Khushi Muhammad, S.I obtained permission from S.S.P, Lahore for proceeding to Karachi. The application Exh.PI is written and signed by him. He reached Karachi

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through Flight by night and after reaching there, he recorded the statements of Rana Mohammad Akram, Brig. Mohammad Aslam, Atif Siddiqui, Mohammad Yousaf, Arshad, Nauman and Mohammad Ali Abubakar, then he came back to Lahore. While being present in Karachi, he also recorded the statements of Mohammad Hanif Tayyab, Mohammad Hussain Lakhani and one other person, whose names he does not remember at present. He also contacted with Tahir Editor of weekly Magazine 'Takbeer' but he refused to make statement and informed that he will not hand over the original diary and whatsoever is written by him in the Magazine be treated as his statement. He received Magazine P-13/I-52 and attached it with the file.

9. On 23-4-1997, the Audio Cassette was got heard to Yousaf Ali, accused, and he admitted his voice in the Audio Cassette. The accused was asked to get his voice recorded for comparison but he refused to get his voice recorded. On 24-4-1997 S.P. Sadar asked to produce the prosecution witnesses, Audio and Video Cassettes and accused along with the file. On the above date, the S.P. Sadar interrogated the prosecution witnesses and the accused but Yousaf, accused, did not get his statement recorded. He also heard the Audio Cassette and saw the Video Cassette. Then S.P. Sadar directed him to submit the challan, on which he submitted the challan for trial of the accused.

10. After framing of the charge, the prosecution produced 14 witnesses in toto. Their statements in verbatim are as under -

(PW-1)

DR. MOHAMMAD ASLAM MALIK,
son of Malik Niaz Ali, aged 71, caste
Kakayzai, Doctor (Brigd) Retired,
resident of 10-G, Askari Apartments,
Ch. Khaliq-uz-Zaman Road, Karachi,
on oath.

I know Yousaf accused in this case since 1988 or 1989. I met him in the house of my friend Abdul Wahid in House No.3-D, Sector-9, Clifton, Karachi in the year 1988. My friend Abdul Wahid had told me that a religious person is coming in this house who will speak about religion after "Maghrib Prayer". Yousaf accused came in the house of my friend. Yousaf accused made a commentary on "Sura Ikhlas", which I liked. Then, after four or five months, Yousaf accused again came in the house of my friend. I was again called by my friend to attend the meeting. I attended the meeting after "Maghrib Prayer". Yousaf accused threw light on different



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aspects of the life of Holy Prophet (Peace Be Upon Him). Then, Yousaf accused had been coming in the house of my friend and I was called to attend the meetings. Then, in the year 1995, Yousaf accused had meeting with me alone in the house of my friend after "Maghrib Prayer" and he stated that as to what sacrifice I can give in lieu of reality told to me. I was reluctant to some extent but Yousaf accused asked to pay Rs.2,00,000/- but I replied that I cannot make any such arrangement. Anyhow, I delayed this matter. Then, in the end of 1995, Yousaf accused directed to act upon what he likes and this direction was given also in the house of my friend Wahid after "Maghrib Prayer". I replied that I shall make arrangement in the next meeting or next visit. Then, in the month of December, 1995 Yousaf accused came in the house of my friend to whom I informed that I have made arrangements for Rs.2,00,000/-, on which Yousaf accused came in my house after prayer on the next day to whom I paid the amount of Rs.2,00,000/-. Then on coming Friday, Yousaf accused alongwith his 'Mureed' attended the Juma Prayer in our mosque situated in Askari Apartments. After Juma Prayer, Yousaf accused alongwith his companions came to my house where after a while, he stated to provide the reality and thereafter while standing he said "Anna Mohammad", whereupon I was much surprised because no body can claim to be "Mohammad" whereas Holy Prophet Mohammad (Peace Be Upon Him) is in Madina and took this impression that as he is claiming for himself as 'Mohammad, and I was still in this state of mind that the companions of Yousaf accused put garlands in my neck and thereafter the meeting was over and Yousaf accused alongwith his companions went away from my house. Besides Yousaf accused, his companions and I, no one else had attended this meeting. After his departure from my house, I thought that as to whether I should continue such meeting or not and I decided that I should attend the meetings with Yousaf accused.

Then, after "Maghrib" waila after couple of months, I was present in the house of my friend. Commodore Retired Yousaf Siddiqui also attended the meeting. Commodore Yousaf Siddiqui put a question to Yousaf accused that from Hazrat Adam and thereafter you had been appearing as Prophet in different times and you also appeared 1400 years back and thereafter you came as Saints "Olyia" and what is the difference/dignity of 1400 years back or now and which was more dignified/glorified and in return, Yousaf accused replied that the period 1400 years back

was glorious but the glory now is unprecedented as it was duty at that time but beauty now

At this stage, the learned District Attorney states that the remaining portion of the statement of the witness should be recorded in presence of accused. PW is bound down for the next date.

Before the making of the above mentioned permission by the District Attorney, the witness stated that his statement is over. But despite this, he may be put question by the District Attorney and that he is also to face cross-examination, therefore, he has to appear on the next date.

R.O.A.C.
2.3.2000

28-3-200
(PW-1)

Dr.Mohammad Aslam Malik
(Recalled on oath)



Yousaf, accused, is in attendance today, who spoke that "Anna Mohammad" for himself and the other dialogue which I narrated on the last date. I identify him. I had been meeting with Yousaf, accused, present in the court, later on. I had been meeting Yousaf, accused, later on just to see the element working behind him.

XXXXX

By Mr.Saleem Abdur Rehman,
learned defence counsel.

(The witness is bound down)
To come up again today at 2.00 p.m.

R.O 7 A.C.
28-3-2000.

PW-1)

Dr.Mohammad Aslam Malik,
(Recalled on oath)

XXXXX

By Mr.Saleem Abdur Rehman,
learned defence counsel.

It is correct that the word 'liar' in English is equal to word 'kazab' in Arabic. It is incorrect that I never served as Brig., in the Pakistan Army. It is incorrect that I served in the Pakistan Navy but my rank was Brig., in the Pakistan Army and that I was given retirement as Brig., from the Pakistan Army. It is correct that I served as Commodore in the Pakistan Navy.

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Volunteers that Commodore in Pakistan Navy is equivalent to Brig., in Pakistan Army. I specialised in the field of Radiology. If I have impression about a patient that he is having a broken bone, then in order to confirm my impression I shall refer him to Doctor or Specialist in the field. I shall refer the patient to the Doctor, who is expert in performing the X-ray. It is correct that after examining the X-ray, I would confirm my impression that as to whether the bone is broken or not. My memory is already good because I am still working in the Hospital. My statement was recorded by the police. It was recorded in Karachi on 20-4-1997 in the evening time. It was recorded in the house of Mr. Mohammad Akram Rana. No one was present at the time of recording my statement. Noman Elahi, Mohammad Akram, Yousaf Siddiqui, Mohammad Arshad and Mohammad Ali Abubakar were present in the house of Mohammad Akram Rana but they were not present at the time of recording of my statement. I was informed on telephone about recording of my statement. Mr. Mohammad Akram Rana informed me about recording of my statement. Khushi Mohammad, Sub-Inspector, had recorded my statement. It is incorrect to suggest that I made arrangements for availability of the prosecution witnesses at the time of recording my statement. Police told me that my statement is to be recorded in connection with a case registered against Yousaf at Lahore. I was informed about the nature of the case. It is correct to suggest that as a consequence of conspiracy and that I induced others to be witness in this case. Akram Rana was known to me since 1992. Commodore Mr. Siddiqui was known to me since 1988. Noman Elahi was known to me since 1993. It is correct that Noman Elahi and Akram Rana are my "Murid" and it is correct that I am their "Murshad". It is not essential that the 'Murid' should follow his 'Murshid'. The relationship in between 'Murshid' and 'Murid' is that of guidance. Except the persons, as mentioned above, no other Pws, is my 'Murid'. It is incorrect that I applied my spiritual guidance to call the above mentioned witnesses and to become witnesses in this case. It was not necessary to use my spiritual guidance for becoming of above mentioned persons as witnesses in this case because the above mentioned persons had their own grievance or views to become a witness in this case. I did mention about giving an amount of rupees two lacs to the accused in my statement recorded under Section 161 Cr.P.C. Confronted with Exh. DA, where there is no mention of giving an amount of rupees two lacs or where it is not

ed. I do not remember if I stated before police that Yousaf, accused claimed himself as

to be 'Imam-e-waqt'. I met Abdul Wahid finally in August, 1996 in his house. I had no contact directly or indirectly with Abdul Wahid after 1996. He never visited my house after 1996. I remember that Commodore Yousaf Siddiqui apart from others was present at the time of pronouncement by Yousaf, accused as 'Anna Mohammad'.

At this stage, the learned defence counsel states that he has used the word 'saying' and not the 'pronouncement'.

This objection shall be examined at the stage of final arguments. Statement to continue.

XXXXX By the learned defence counsel.

I came to know about registration of this case on 20-4-1997 when Khushi Mohammad, S.I came to record my statement. My earlier reply is reply to the question that I came to know about the registration of the case on 20-4-1997 and not before that. I did not read in any newspaper about registration of the case prior to 20-4-1997. I read daily newspaper 'Nawa-e-Waqat' Karachi and no other newspaper. I do not remember if I read about the progress in the case in the newspaper after 20-4-1997. I met Ismail Shujaabadi, complainant of this case, in Lahore to or three months after 20-4-1997. It is incorrect that I had met him prior to the registration of the case. I have never gone to Multan for the last ten years. I met the complainant of this case in Lahore just to know as to what is happening in the progress of this case. I met the complainant of this case after the above date for another time when the bail matter of the accused was pending in the Hon'ble Lahore High Court, Lahore and that I had met him in the premises of Lahore High Court, Lahore. It is incorrect that I was present alongwith the complainant in the Hon'ble Lahore High Court whenever the petition for bail was argued. I cannot claim to be well conversant with the religion. I have written two books on religion 'Islam'. The names of those books are 'Shan-e-Hazoor Bazaban-e-Haq' and 'Azmat-e-Quran-e-ba-Farman-e-Rehman'. I cannot give or express any such opinion that an accused is presumed to be innocent in law before his trial, either in accordance with Islamic Law or the British Law.

At this stage, Mr. Ismail Qureshi, learned counsel for complainant has raised an objection that the legal question, as mentioned above, cannot be asked from the witness for testing his knowledge over the law.

This objection shall be examined at the stage of final arguments.

XXXXX By the learned defence counsel.

(Court time is over. The witness is bound down for the next date).

R.O & A.C.

28-3-2000.

29-3-2-000

(PW-1)

Dr. Mohammad Aslam,

(Recalled on oath.)

XXXXX By the learned defence counsel.

I do not remember as to when Yousaf, accused, was arrested in this case Even I do not remember the month in which he was arrested. When my statement was recorded, I came to know that Yousaf, accused, was arrested in this case. I came to know through Abubakar that Yousaf, accused, has maintained a diary and I had seen the photo copy of the diary. It is correct that weekly 'Takbeer' a Magazine is published from Karachi. I know Tahir, Reporter of this Magazine. Tahir came to me and I expressed my views before him. I do not know if Tahir is witness in this case. I told him that Yousaf, accused, claimed himself to be 'Mohammad' as Holy Prophet. I do not remember the details of my views expressed before him. I do not know if the allegations against the accused were published for the first time in 'Takbeer' Magazine but same were published in this Magazine. It is incorrect to suggest that the allegations against Yousaf accused were published in the Magazine at our instance. It is correct that the photographs were published in this Magazine. It is incorrect to suggest that I had provided those photographs in the Magazine. I cannot tell about the edition of the Magazine in which the photographs of the accused were published. However, I remember that the edition of the Magazine was relating to the month of April but I do not remember that the edition was published in the start of April or in the end of April. It is incorrect to suggest that my memory is not correct. It is correct that the book known as 'Azmat-e-Quran-Ba-Farman-e-Rehman Bashir or Insan' has been written by me as its author, which is Exh.DB. A Muslim means that person who recites 'Kalma Tayyaba'

"لَا إِلَهَ إِلَّا اللَّهُ مُحَمَّدٌ رَسُولُ اللَّهِ ﷺ"



Handwritten signatures and stamps at the bottom right corner of the page.

It is correct that there is dedication of this book. This book was published in Faisalabad and its edition came to me in the month of January, 1996. I met Yousaf, accused, in the house of Abdul Wahid for the last time in August, 1996 in presence of Abdul Wahid. It is incorrect that I became 'Murid' of Yousaf, accused. I am 'Murid' of Sufi Ghulam Rasool of Ichhra, Lahore. He has died. I do not know as to with whom Yousaf, accused, has given the 'Bayat'. It is correct that the word "Abul Hasnain" written in the dedication of the book has been used by me for Yousaf, accused, who is present in the court. Volunteers that I had sent the book and its dedication for publication the month of September, 1995 and its edition after publication came to me in the month of January, 1996 and that Yousaf, accused, was not exposed when the book was written by me or when the manuscript was sent for publication. I did not ask the publisher to withdraw the dedication, particularly the word, as mentioned above. Volunteers that simply for the reason that after the pronouncement made by Yousaf, accused, I preferred to remain with him just to know the reality and the element on basis of which he had pronounced himself to be as 'Mohammad'. I did not feel it necessary for deletion of the words, as mentioned above, in the dedication. Volunteers that later on in the edition the words, as mentioned above, were not used. Even the words, as mentioned above, were never written in any edition. Later on, in the dedication the words "بجھ کیا کیا علیا گیا بد کیا نہیں علیا کیا گیا"

"were got incorporated by Yousaf, accused. Since I was with him, so the words in his appreciation were written in the dedication on his dictation. The book Exh.DB was not written on the dictation of Yousf,accused.

I have heard it that the 'Murid' in general give gifts etc., to their 'Murshid'. It is incorrect that I paid repees two lacs to Yousaf,accused, as 'Nazrana'. Volunteers that this amount was got from me under coercion. However, it is correct that I did not pay the money, as mentioned above, on a gun point. My financial position is stable. It is correct that some denial made by Yousaf, accused, was published in the editions of 'Nawa-e-Waqt' dated 24,26,27 and 29th of March, 1997, which I read.

(PW is bound down for the next date.

R.O & A.C.
29-3-2000.

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30-3-2000

(PW-1)

Dr. Mohammad Aslam,
(Recalled on oath.)



XXXXX

By Mr. Saleem Abdur Rehman,
learned defence counsel.

At this stage, the learned defence counsel want to put a question to the witness by confronting a news published in daily 'Nawa-e-Waqt' dated 26-3-1997 and the learned defence counsel is producing an attested photo copy by stating that the original is with them and they cannot provide the same. This question or the attested photo copy of the document cannot be put to the witnesses unless and until the original is brought. If desired, the learned defence counsel may call for the relevant record of the daily 'Nawa-e-Waqt' and at present the question may be kept pending.

XXXXX

By Mr. Saleem Abdur Rehman,
learned defence counsel.

I do not remember the number of meetings which I attended with Yousaf, accused, after December, 1995 and prior to August, 1996. It is possible that I attended five or six meetings. I do not remember any specific subject which was discussed in the meetings in between the period, as mentioned above. However, there was discussion on some subjects relating to the Holy Quran in those meetings. There was no such discussion on the subject to gambling, drinking and zina. Volunteers that I have already stated about the objectionable subjects discussed by Yousaf, accused. I do not understand the meaning of the word 'Tajassas' in the mind of the accused but I understand that the 'Tajassas' means to get the information. I did not point out the claim/pronouncement made by the accused in between the period from August, 1996 to 20-4-1997 because I could not take the law into my hands and that I did not point out this pronouncement of the accused publicly. It is incorrect to suggest that my silence was deliberate. It is incorrect to suggest that I did not deliberately mention the month of December, 1995 in my statement under Section 161 Cr.P.C. Yousaf, accused, was appearing to be normal during his association with me for the period over eight or nine years. My relations with Yousaf, accused, were normal or good during the period of eight or nine years with regard to my association with him. The pronouncement made by Yousaf, accused, as 'Anna Mohammad' was self explanatory,

fore, there was no need to have any further explanation from him. It is correct that the

9/8/2000

accused did not say 'Anna Mohammad-bin-Abdullah' but he pronounced as 'Anna Mohammad'. The way in which the defence counsel states 'Anna Mohammad' means that he is mocking but when the accused pronounced as 'Anna Mohammad' for himself and the way in which he stated it meant that he was claiming himself to be 'Prophet Mohammad'. It is incorrect to suggest that 'an impression' is always 'an impression' but it is some thing confirm. It is incorrect that if some one gives an impression of a thing, the impression is taken otherwise by the person to whom the impression is given. Volunteers that the impression given by the accused was confirmed. I have not read any book written by 'Maulana Abdur Rehman Ashrafi'. I have not read any press statement made by Maulana Abdul Sattar Niazi relating to this case. I do not remember if I read the statement of Maulana Abdul Sattar Khan Niazi in 'Nawa-e-Waqt' daily dated 09-7-1997 of Lahore edition. I have heard the name of 'Maulana Abdul Sattar Niazi. Volunteers that as M.N.A. I have no concern with him with regard to his being a religious scholar. I have not read the FIR of this case. It is incorrect to suggest that Yousaf, accused, in meetings with me expressed his deep love and affection for the Holy Prophet (P.B.U.H) . Volunteers that he showed his love for another instead of Holy Prophet Mohammad (Peace Be Upon Him) or 'Mohammad-e-Arbi'. 'Mohammad-e-Arbi' means that who born in Macca and went to Madina after 'Hijrat'. The accused in the meetings with me had stated about the Holy Prophet (Peace Be Upon Him)."

"Darood Sharif" was not read regularly in those meetings. It is correct that it is Allah Almighty, who knows 'Batin' (inner) but this capability may be given by Allah Almighty to any body. It is correct that I am not one of those persons. It is correct that Yousaf, accused performed prayer when I was Imam of that prayer, behind me finally prior to his pronouncement as 'Anna Mohammad' It might be that any Prophet perform prayer behind any one but it is not in my knowledge. It is correct that if Ismail Shaujaabadi had not got the case registered, I will have not got the case registered. It is correct that I used this case as platform for 'Majlis-e-Khatam-e-Nabuwat'. It is correct that I belong to 'Naqshbandi Qadri School of thought.

(PW is bound down for the next date.

R.O & A.C.
30-3-2000.

05-4-2000
(PW-1)

Dr.Mohammad Aslam,

9/8/2000



(Recalled on oath.)

XXXXX

By Mr. Saleem Abdur Rehman,
learned Defence Counsel.

I did not state before police that despite pronouncement of 'Anna Mohammad' by Yousaf, accused, I remained in touch with him. I did not state before police relating to the month of December, 1995 in which Yousaf, accused, had pronounced to be 'Anna Muhammad'. It is correct that I had asked to the police about nature of the case and that as to why my statement is being recorded. Police told me in reply that Yousaf, accused has made pronouncement as 'Anna Muhammad', so as to what is the knowledge with me in this regard. Police told me that who is the complainant in this case. It is incorrect to suggest that I took lot of interest in the progress of this case. I came in the High Court when Mr. Ismail qureshi, Advocate-counsel for the complainant called me there. I had read in the newspaper about the claim of Yousaf, accused, that he believes on 'Khatam-e-Nabuwat'. Anyhow, I do not remember the exact sentences used by Yousaf, accused. I do not remember if Yousaf, accused, in his claim used 'Kalma Tayyaba' and I only remember the gist of the claim of Yousaf, accused. The gist of the claim/declaration of Yousaf, accused was that he negates this thing that he never declared to be 'Anna Muhammad' but I was not convinced from his declaration because he had made pronouncement, as above, in my presence. I had heard that there was much shouting about the declaration of being 'Anna Muhammad' by Yousaf accused, therefore, he felt the necessity of making announcement in the newspaper. I do not convene meetings of my 'Murid' in Lahore but I attended the "Urs of my 'Murshid' in Lahore. I have some 'Murid' in Lahore. I do not know any person named 'Sajid'. I know Sohail Zia but he is not my 'Murid'. I personally know that Sohail Zia is witness in this case. I did not inquire from the police as to who provided my name to the police. Again said Akram Rana had provided my name. I did not bother to know as to who provided my name to the police. Noman is son-in-law of Rana Akram. I do not know if the police employees stayed for one night in the house of Rana Akram. If some one recites 'Kalma Tayyaba' before me, I would assess the reality out of it by first assessing about the personality of the personal. My principles of assessing would be different in case of a new comer and a person known to me for the last many years. In case of a new comer, I shall evaluate about him by his style of reciting the 'Kalma

مجلس
بج لاہور

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Tayyaba'. I have not read that who recites 'Kalma Tayyaba' is exactly a Muslim. It is incorrect that my reply is against the first Hadith of Bukhari Sharif. It is incorrect to suggest that my statement in the court to the extent of remaining in touch with Yousaf, accused, after his pronouncement as 'Anna Muhammad' is after thought and a cooked up story. It is incorrect to suggest that my conflict with Yousaf, accused, started in the month of December, 1996. It is incorrect to suggest that I have falsely deposed before this court. It is incorrect to suggest that due to pronouncement of 'Anna Muhammad' by Yousaf, accused, was no offence so far as my thinking is concerned. Volunteers that it was in my knowledge that he had said some thing wrong but I was not sure that same is an offence under Pakistan Penal Code. I have heard that our Holy Prophet (Peace Be Upon Him) said that whosoever after the Holy Prophet (Peace Be Upon Him) claims to be Prophet is 'Mardood' and that person is also 'Mardood', who levels false allegation. It is in my knowledge that Yousaf, accused, has written some books. I have heard those books. It is in my knowledge that Yousaf accused had written many articles in Pakistan Newspaper. I have not read all those articles. I had disagreed with the article written by Yousaf, accused, in the newspaper in which he wrote about 'Imam-e-Waqt'. Volunteers that such article substantiates my statement in the court. Yousaf accused had claimed himself indirectly to be 'Imam-e-Waqt' in those articles got published by him in the newspaper. It is correct that Yousaf accused did not claim himself as 'Anna Muhammad' in those articles. During my association with Yousaf accused for 8/9 years I could know that he remained army personnel but I could not know his back ground and his profile.

I have read the press-clipping dated 26-3-1997 in daily 'Nawa-e-Waqt', the certified copy of which is Exh.DC.

Note.

In connection with the above question, an application for summoning the original record of the newspaper was moved by the accused through his counsel and the learned District Attorney, assisted by learned counsel for complainant, have agreed that in summoning the original record inordinate delay can caused in the trial of this case, therefore, the defence may be allowed to ask the questions by putting the

9/8/20

attested copy of the press-clipping. Therefore, the above question has been allowed and the application stands disposed of.



XXXXX By the learned defence counsel.

As per my information Exh.DA was not exactly published in the daily 'Nawa-e-Waqt' Karachi. I cannot explain the difference in between the news published in daily 'Nawa-e-Waqt' Karachi and the press-clipping Exh.DC. Volunteers that I do not believe the press-clipping Exh.DD to be correct and I repudiate the same. It is incorrect to suggest that I have told a lie about the arrest of the accused. It is incorrect to suggest that if some one says about Holy Prophet (Peace Be Upon Him) as 'Muhammad-e-Arabi' he is confining the Holy Prophet (Peace Be Upon Him) to the extent of Macca and Madina and it amounts to 'Toheen-e-Risalat'. It is correct that I belong to 'Naqshabandi Qadri' School of Thought. Hazrat Sheikh Abdul Qadir Jilani belonged to Qadri school of thought. I belong to 'Ahl-e-Sunnat' school of thought. I have not read the book titled as 'Secret of Secrets' of Hazrat Abdul Qadir Jilani, interpreted by 'Sheikh Tosun Bayrak Al-Jorraahi Al-Halveti'.

(PW is bound down for the next date.

R.O & A.C.
5-4-2000

07-4-2000
(PW-1)

Dr. Mohammad Aslam,
(Recalled on oath)

XXXXX By Mr. Saleem Abdul Rehman,
learned defence counsel.

The words 'beauty' and 'duty' used by the accused were self explanatory. I have not read the books written by Allama Mohammad Iqbal completely. My date of birth is 27th January, 1929. I have read 'Sura Araaf'. Even I have read the Holy Quran entirely. No one told to me prior to December, 1995 that accused Yousaf earlier pronounced to be 'Anna Mohammad'. It is correct that Yousaf, accused, had not said to be 'Anna Nabi'. I know the 'Urdu' translation of

_____ قدی اللہ علیہ وسلم which is as under:-

_____ "ان پر اور ان کی اولاد پر ملوث ہو،"

9/1



XXXXX By the learned defence counsel.

“*ﷺ*” means Holy Prophet (Mohammad Peace Be Upon Him). There are ninety names of our Holy Prophet (Peace Be Upon Him). I do not remember orally the whole names of our Holy Prophet (Peace Be Upon Him) and particularly “*اَوَّلُ - آخِرُ طَائِفَةٍ بِالْحَقِّ*” There are ninety nine Names of Allah Almighty. “*اَوَّلُ - آخِرُ طَائِفَةٍ بِالْحَقِّ*” are Names of Allah Almighty. I do not know the name known as ‘Hussain-Bin-Mansoor Hallaj’. It is incorrect to suggest that I have falsely deposed in the court. It is correct that being ‘Ahl-e-Sunnat’ I say ‘Ya Rasool Allah’ for Holy Prophet (Peace Be Upon Him). It is incorrect to suggest that I have deposed against Yousaf, accused, due to personal enmity. Yousaf, accused, was sitting on the chair and he stood up and said ‘Anna Mohammad’ and this was the way he declared to be ‘Anna Mohammad’.

R.O & A.C.
07-4-2000.

20-4-2000.
(PW-2)

STATEMENT OF MUHAMMAD AKRAM RANA,
son of Rana Mohammad Tufail, caste Rajput, aged 61
years, Manager Pharmaceutical Company, Karachi, R/O
3-B III East Street Phase-I, Defence Housing Authority
Karachi, on oath.

I know Yousaf Ali, accused, present in the court. I met him in the house of Abdul Wahid at Karachi in the year 1994. Yousaf Ali, accused, delivered speech in the house of Abdul Wahid in which there was recitation of Holy Quran and while reciting so he said that the Holy Prophet (Peace Be Upon Him) is present in the world even today in the form of human being and also amongst us. Upon a question asked by some one in the house of Abdul Wahid that our Holy Prophet (Peace Be Upon Him) lived very simple life, on which Yousaf Ali, accused, replied that fourteen hundred years back the tradition was old and now the tradition is modern and that glamour/pomp and show is the need of the day. In other words the modern life is the need of the day. This ‘mehfil’ was held in the month of January or February, 1994. Besides it, Yousaf Ali, accused, said that if some one can see, he may see, and if some one can identify, he may

میں نے
یوسف علی
کو لاہور
میں دیکھا

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identify the Holy Prophet (Peace Be Upon Him) to be present amongst us. After it this meeting was over.

The next meeting was held in the month of September, 1995. I asked a question to Yousaf Ali that as to whether he is writing 'tafseer' or 'tafheem' of Holy Quran, on which he replied in affirmative. I demanded a copy of 'tafseer' or 'tafheem' of Holy Quran written by him, on which he asked to me as to what price I can pay. I was surprised to hear the reply as to what can be the price of Holy Quran. Anyhow, I said that I can pay an amount of rupees one lac for obtaining the book. Then this meeting was also over. Then I was receiving messages for payment of rupees one lac but I could not pay. Then, once in the month of November, 1995 I went to the house of Yousaf Ali, situated in Shadman, Lahore in the evening time, and I came to know that he was going to Islamabad and he asked me to accompany him upto the Lahore Airport. While going to Lahore Airport, in the vehicle alongwith two other companions of Yousaf Ali, Yousaf Ali shortened his demand of rupees one lac to rupees fifty thousand. But the time elapsed and I could not pay even the cash amount of rupees fifty thousand.

Then, when I had to proceed for Hajj in the month of April, 1996, I received a message for payment of money, on which I paid rupees twenty five thousand to Yousaf Ali, on which he said that you have come very close to Allah Almighty, so I disclose a reality in your presence. At that moment, many other people were present in the meeting held in the house of Abdul Wahid in Clifton, Karachi. Yousaf Ali carried me to another connected room but the intervening door was open and he asked me to close my eyes, on which I closed my eyes, whereafter he asked me to recite 'Darood Sharif', on which I recited 'Darood Sharif' and then he asked me to open the eyes and inquired from me as to whether I have seen any thing, on which I said I have not seen any thing, on which he (Yousaf Ali, accused) embraced me and said 'Bismillah' that I am the 'Mohammad Mustafa' and further said that I have concealed this reality and you are also supposed to conceal this reality and this is the 'tafheem-e-Quran', 'tafseer-e-Quran' and 'Zinda Quran' and also 'Noor-e-Quran'. On hearing so, I felt that I was hypnotised by the words and dialogues spoken by Yousaf Ali, accused. On which I felt that I have to come out from this dilemma. Thereafter, I consulted with the Ulama, to whom I narrated the above statement, on which the Ulama informed me that the person concerned is liable to be murdered.

سیدنا محمد
صلی اللہ علیہ وسلم
میں سے
میل لیا

XXXXX

By Mr. Saleem Abdur Rehman,
learned defence counsel.

Before reaching the 'Mehfil' held in the year 1994, I was introduced about Yousaf Ali, accused. Since I was hearing other 'Ulma-e-Karam', therefore, I also went to hear Yousaf Ali, accused, as other 'Ulma-e-Din'. One Aslam Sheikh had introduced about Yousaf Ali, accused. Volunteers that Yousaf Ali was famous at Karachi because he used to visit 'Jimkhana' as well. I had once heard the speech of Yousaf Ali, accused, in Jimkhana Club at Karachi. The subject of this speech was the recitation of Holy Quran. It is correct that I am Murid of Brig. Aslam (PW-1). The relationship in between Pir and Murid is just teaching to the Murid. Brig. Aslam (PW) my Pir did not inform me about any objectionable speech delivered by Yousaf Ali, accused. Volunteers that I had informed him about the objectionable speech of Yousaf Ali, accused. As soon as Yousaf, accused, said that he is the 'Mohammad Mustafa' I immediately informed to my Pir, on which he said that he is already probing into the matter and he feels that some sort of fraud is being committed. I am Graduate. I read all the newspaper.

I came to know about registration of the case against Yousaf Ali, accused, in April, 1997. I read about registration of the case in the newspaper. I also read about arrest of Yousaf Ali, accused, in the newspaper. I have met the complainant of this case. I have met the complainant of this case after registration of the case. Since I had concern with the facts of this case, therefore, I met him. I had met him in the end of March, 1997. I had been meeting with the complainant after March, 1997.

(PW is bound down for the next date.

R.O & A.C.
20-4-2000.

21-4-2000,
(PW-2)

Statement of Mohammad Akram Rana,
(Recalled on oath)

XXXXX

By the learned defence counsel.

It is correct that I am a Muslim.

Note.

Upon question put by the learned defence counsel, the witness has recited five Kalma and he could not recite sixth Kalma with perfection.

XXXXX By the learned defence counsel.

It is incorrect to suggest that I do not know the four conditions of Wazu

I do not know the verbatim of four conditions. However, I know the procedure of Wazu.

Note. On question put by the learned defence counsel the witness has pointed out the procedure of Wazu from start to end.

XXXXX By the learned defence counsel.

My statement u/s 161 was recorded by the police. I stated before police about month and year of my visit meeting with the accused. Confronted with Exh.DD where it is not so recorded. I did not state before police that Aslam Sheikh got the meeting arranged with the accused. I did not state before police that I met Yousaf, accused, in his house situated in Shadman at Lahore. I stated before police that when Yousaf, accused, claimed himself to be 'Mohammad Mustafa', Brig. Aslam was present in that meeting. Volunteers that Brig Aslam was busy in his Wazifa after Maghrib prayer. I cannot say if Brig. Aslam heard Yousaf Ali, accused, while claiming for himself to be 'Mohammad Mustafa'. Volunteers that he was away from me. I stated before police that when I was present in another room, the intervening door was open. Confronted with Exh.DD where it is not so recorded. Police recorded my statement in my house at Karachi and this statement was recorded on 20-4-1997. My statement was recorded in presence of Brig. Aslam, Commodore Yousaf Siddiqui, Noman Elahi, Ali Abubakar and Capt, Mohammad Arshad. I had called them in my house on telephone. It is incorrect that apart from Brig. Aslam etc., as mentioned above, Haji Mohammad Hanif, Mohammad Hassan Lakhani and Atif Siddiqui were also present. Police informed me to record the statements of Brig. Aslam etc., as well, so I called them in my house. I had already their telephone numbers with me. It is incorrect to suggest that as to conspiracy all of them were already present. Police told me that a case has been registered against Yousaf, accused, for claiming himself to 'Rasool Allah', so our statements have to be recorded in this reference. I know Sajid Munir Dar, PW, in this case. I do not know if he gave my name to the police. I did not ask the police as to where from any particulars were obtained. It is incorrect to suggest that I called Mrs. Tayyaba Yousaf Ali, wife of the accused, on 2nd February, 1997 from Karachi to Lahore on telephone. It is incorrect to suggest that not only I talked on telephone with wife of Yousaf, accused, but also attempted twice to abduct the



سابقہ بیان
میں
جس
لاہور

daughter of Yousaf, accused. It is incorrect to suggest that I also stated that it was some spiritual power, who failed my designs. It is correct that Noman Elahi, PW, in this case, is my son-in-law. It is further correct that Aslam Sheikh is father of my son-in-law. I became 'Murid' of my 'Murshid' in the year 1992. My son-in-law is also 'Murid' of Brig. Aslam. It is incorrect that in the month of December, 1995, Brig. Aslam told me that in his presence Yousaf, accused, stated for himself 'Anna Mohammad'. Volunteers that infact in April, 1996 I informed about such claim of Yousaf, accused to Brig. Aslam and then we exchanged our views and he stated that it is already in his knowledge and it appears as if some fraud is being played. Besides me, Yousaf, accused, also claimed for himself to be Rasool Allah in presence of Yousaf Siddiqui, Commodore. Brig. Aslam, Noman Elahi, Sohail Raza and Sajjad Mir Dar and Capt. Arshad as well. In April, 1996 I had gone to perform Hajj and when I came back, then from July to September, the people contacted me that as to what happened with me because the incident of claiming as Rasool Allah by Yousaf, accused, was happening with all of them, and thereafter it started publishing in the newspaper about claim of Yousaf, accused and thereafter the press reporters also got me contacted with them. I have not stated that I did not know Sajid Munir Dar, PW, Sohail and Sajid Mir are residents of Lahore. After publication in the newspaper I had been meeting with them. I also read in the newspapers about claiming of Yousaf, accused, as Rasool Allah in between March and April, 1997. I had read contradiction made by Yousaf, accused, in daily 'Nawa-e-Waqt'. It is correct that I had read press-clipping in daily 'Nawa-e-Waqt' Exh.DC. When I met Yousaf, accused, in the first meeting held in January, 1994, Again said in the beginning of 1994 he stated that Mohammad (Peace Be Upon Him) is present in the Mehfil and if some one has got the power to see, he can see or smell or identify. and I did not like this saying of Yousaf, accused. Thereafter I had been meeting with Yousaf, accused in Lahore as well as in Karachi prior to September, 1993. Perhaps 15 or 16 times. Yousaf, accused, also spoke highly objectionable in those meetings. Volunteers that in some indirect form. Since all these things were unnecessary, so I did not state about these things in my statement before police. I used to attend meetings to learn Holy Quran but besides that the sentences highly objectionable as stated by me above, were spoken by Yousaf, accused.

(PW is bound down for the next date)

9/8/1

R.O & A.C.
21-4-2000.



24-4-2000.
(PW-2)

Statement of Mohammad Akram Rana,
(Recalled on oath)

XXXXX

By the learned defence counsel.

I do not know if the registration of the case was published in the newspaper on the next day. I had come to know about arrest of the accused within 2 or 3 days. I made my statement before police when it was desired by the police. If the police had desired not to record my statement, even then I had stressed to record my statement or I had protested in the court. It is incorrect to suggest that I got recorded my statement late because I wished that the statement of the eye witnesses should be recorded first and under my supervision. Volunteers that every body was prepared to get the statement recorded. I had given interview to the newspaper with regard to my statement. It was given to 'Ummat' and 'Takbeer'. It was published on 22-4-1997. Volunteers that when the newspaper had approached me. It is correct that an Alme-Din can teach the Holy Quran and who have full knowledge of Holy Quran, I cannot say if the accused is an Alme-Din. Volunteers that the accused acted as impostor as calculated by me. There was no objectionable discussion in each 'Mehfil' prior to September, 1995, otherwise who could go in such a 'Mehfil'. All such meetings prior to September, 1995 were arranged either in Lahore or in Karachi. Four or five meetings were arranged in the house of Abdul Wahid at Karachi. It is incorrect to suggest that I had not visited the house of Abdul wahid. I can tell the location of the house of Abdul Wahid in Karachi. It is incorrect that I am a man of ordinary prudence. Volunteers that of a reasonable prudence. It is incorrect to suggest that I could not understand the thinking of accused. Volunteers that when there was exposure in couple of meetings about accused, I had understood what he was. I do not know if Yousaf, accuse, was delivering 'Khutba' of Juma on every Juma in mosque known 'Baitul Raza' in Yateemkhana Chowk, Lahore. It is correct that once I went alongwith Yousaf, accused, in the said mosque. Volunteers that I was carried by Yousaf, accused. I had met Yousaf, accused, twice in between September, 1995 to November, 1995. Since I was not asked about these two meetings and I disclosed about those meetings.

which were asked, therefore, I could not disclose about these two meetings held in-between September, 1995 to November, 1995. I do not know as to where these two meetings were held because these might have held in Lahore or in Karachi. It is correct that the accused had delivered objectionable or acceptable or not objectionable speeches in those meetings, which could be in 'Urdu' as under:-

دو اپنی شخصیت کو نمایاں کرنے کے لیے اور اس شخصیت میں
دوسری شخصیت کا عکس ثابت کرنے کے لیے انسان ہونے
کی وضاحت کریں گے انسان کو انسان کا مل کا پرتو ہونے کا شائبہ
دیں گے۔ انسان کو عبد بتاتے ہیں اور عباد بتاتے ہیں۔ اور عباد میں سے
بکثرت عباد بناتے ہیں اور پھر یقیناً محبوب ہو جاتے ہیں اللہ تعالیٰ کا
تعالیٰ کے پورے اسی کا تشبیح کے یٹ امام وقت اور مرد کامل
فرد و حمید۔ محبوب الوہید اور محبوب حقیقی بنتے ہیں۔
امام وقت کے علاوہ قرآن کی تفسیر کوئی نہیں
جاسکتا تھا۔

قرآن کی اعلیٰ ترین تفسیر میں خوف (ابو بکر صدیق)
رضی اللہ تعالیٰ عنہ۔ خوف (عمر فاروق) رضی اللہ تعالیٰ عنہ۔
خوف عثمان رضی اللہ تعالیٰ عنہ۔ خوف (علی اکرم اللہ
وجہہ) رضی اللہ عنہ۔ امام زمانہ بیت اور جابر کا
سارا کی امام وقت میں یہ قرآن پڑھا بھی ہیں۔ اعلیٰ ترین
تفسیر میں بھی ہیں اور رندہ قرآن بھی۔ قرآن کی تلاوت دراصل
اپنے آپ کی تلاوت ہے اور کسی کو یہ تلاوت حاصل نہیں ہو
سکتی جب تک ان کو دیکھ نہ لے جس کا یہ بیان ہے میں کا یہ ملک ہے
جب کسی کو چہرہ رسول (علیہ السلام) دیکھا جائے تو قرآن عطا ہو جائیگا
امام وقت اور حقیقت مرد کامل کا دوسرا نام ہے ہمیں (اللہ تعالیٰ کی طرف
ارشاد کرتے ہوئے کہا) قوت حاصل میں یہ پیغام ملے کہ ہم متعین کے
امام بننے کی دعا کریں یا ہمیں یہ سلیقہ سکھایا گیا کہ ہم متعین کے امام بننے
کی دعا کریں۔ امام وقت کوئی نئی بات نہیں ہے خوف آدمی ہے
امام وقت مرد کامل تر غار وقت سے اور یہ آج بھی جابر کا اور سارا کی حقیقت
ہے۔ امام وقت اس خوش نصیب ترین لباس کاٹائیل سے جسے اللہ تعالیٰ

سب سے
بیشتر
پسند
آتا ہے

کی کج روئی کے اظہار اور مصطفائی کا شہادہ کا رہنا عیوب بنالیں۔
 ہمیں یہ بات یاد رہنی چاہیے کہ ہر امت اجلاہ مہمانوں کی عظمت بحال ہو نہ وہاں سے
 وہ وقت آنے والا ہے جب پاکستاں کی جڑیں یاغیہ میں دیا وقت کے
 فیصلے ہو کر مل جائیں۔ خوش قسمت لوگ اس کا وسیلہ بنیں گے اور
 کماورٹ بننے والے تباہ و برباد ہو جائیں گے۔ حقیقی امانت تو ہمیں
 حاصل ہے ظاہری سربلندی کی ہم انسانوں کو ضرورت ہے
 آپ سے کون ہے جو علامہ ثابت کر سکے کہ اسے عیوب حقیقی
 اللہ تعالیٰ سب سے زیادہ پیارے ہیں کیا ماں باپ اپنے
 بچوں کو۔ بچے اپنے ماں باپ کو بیوی شوہر کو اور مال دار
 اپنے مال کو قربان کر کے کھیتے تیار ہے جو انسان ان
 سب چیزوں کو قربان کر دے گا وہ حاصل نیکی کی سحر ج
 حاصل کرے گا۔ کیا آپ عیوب حقیقی کو مٹانا چاہتے ہیں
 وہاں آپ سے مندرجہ ذیل ہیں۔

کلیشن جو جیج لاہور

کیا آپ کو عیوب حقیقی کے ساتھ خلوت حاصل
 لہجہ بیوٹی اس کے بغیر پیار اور اس کا اظہار کیسے ہوگا
 عیوب حقیقی کے ساتھ پیار کیا ہے؟ عیوب حقیقی کے ساتھ پیار اپنی
 ذات کے ساتھ پیار نہیں جو نہ پیار عیوب حقیقی کی مرضی سے نہ ہوگا
 وہ پیار نہیں

اللہ تعالیٰ کا فرمان لکھا ہے کہ مرشد کبھی اتنا دلالتی ہو تو وارثی
 بھی ہو۔ "اپنی مرضی ختم مرشد کی مرضی شروع" جس نے مرشد کے ساتھ
 دلالتی حاصل کی اور وارثی نہ دکھا وہ کامیاب نہیں ہوگا۔ کیا آپ عیوب حقیقی
 کے ساتھ واسطہ بیونا چاہتے ہیں۔ کیا آپ سارا باپ۔ بیوی بچے مال و
 دولت اس پر قربان کرنا چاہتے ہیں۔ اس مرحلہ پر علی غلہ لہجہ بھی
 بیونا تھا اور جنس میں سے کوئی ارتقا لگا کر کی جاہلیاں پیش
 کر دینا اور بیونا بننے بھی پیش کر دینے کے لیے یہ سب
 کچھ تمہارا رہنا ہے۔

اللہ تعالیٰ کی عطا کردہ چیزیں اللہ ہی کو دینے سے
 گریز کر رہے ہو اگر یہ چیزیں تم سے چھین لی جائیں اور
 اگر تمہارا سے بیوی بچے مر جائیں تو کیا کر لوگ اس سے پہلے

کہ خود انتقال نہ جاؤ۔ محبوب حقیقی کیلئے اپنا سب کچھ چھوڑ کے محبوب حقیقی کے ساتھ دولت خاں کامنزہ انٹائٹل میاں سب چیزوں کو آپ قربان کرنے کیلئے تیار ہیں۔ دین میں لٹانے کو تیار ہیں تو بیوت کر آئیں چھ مہینے دیلیں کسی قسم کے بھتہ دے میں مبتلا نہ ہوں ابھی ایک چل میں محبوب حقیقی آپ سے ملنے کو تیار ہے جن صاحبان نصیب کو دیدار رسول نصیب ہو چکا اتفاقاً نجی جیل اس دن اپنی آمدنی کا پانچواں حصہ ان کیلئے جمع کر دیں باقی صاحبان اپنے پاس جمع کر رکھیں اور جب حبس رسول نصیب ہو جائے ان کو یہ تحفہ پیش کر دیں۔

(The witness is bound down for 2.00 p.m today)



24-4-2000.
سیشن جج لاہور

(PW-2)

Statement of Mohammad Akram Rana,
Recalled on oath.

XXXXX

By Mr. Saleem Abdur Rehman,
learned counsel for accused.

It is incorrect to suggest that besides the offering of keys and wives, the rest of the speech delivered by Yousaf, accused, was not objectionable. The entire speech delivered by Yousaf, accused, was objectionable. Volunteers that it was all deception. The offering of keys and wives means that Yousaf, accused, was preparing the audience in such a way that they had prepared to produce their keys of the cars and wives. In other words to surrender every thing. One Mr. Mohammad Arif produced his wife in my presence. The wife was present at the spot. I do not know the name of the wife. Arif was residing in Gulshan Iqbal, Karachi. "Sohail Raza and Yousaf Siddiqui produced the keys of their Cars. When Arif, produced his wife before Yousaf, accused, Yousaf, accused, said that I have accepted your gift. Volunteers that one Masood Raza acted in the same manner at Lahore. I do not know his address. I do not know the name of his wife. It is incorrect to suggest that I have cooked up dirty and after thought story. I have narrated these facts before the court today because out of discussion I had to narrate. I have not narrated these facts any where earlier. It is incorrect to suggest that the names, as mentioned above, are

fake. Volunteers that both the persons are available. I have not got their addresses with me. The wives were present in presence of 40 or 50 persons. Besides me, the offers were made in presence of Brig. Aslam, Yousaf Siddiqui, Ali Abubakar, Capt. Arshad and Noman Elahi and Aslam Sheikh as well. Except Aslam Sheikh all are witnesses in this case. I met Yousaf, accused, in April, 1996 as well. It is correct that the above mentioned meeting was the last meeting with Yousaf, accused. This meeting was held in Karachi. It is correct that relating to this case, I was present in the Hon'ble Lahore High Court in all proceedings. It is correct that I used to be present in the proceedings conducted in the Hon'ble Supreme Court of Pakistan. It is correct that I had been taking interest in this case because no case more than it could be an interesting case. I have heard the name of Maulana Abdul Sattar Khan Niazi. Volunteers that Maulana Abdul Sattar Niazi is that person, who after having shaved his beard came out from the mosque of Wazir Khan in the year 1953, when there was the movement of 'Khatam-e-Nabuwwati. I had read the contradiction got published by Maulana Abdul Sattar Niazi stating therein that the accused had not committed any offence. Volunteers that on the next day the explanatory statement of Maulana Abdul Sattar Niazi was published in the newspaper that he has been misguided by some one. The contradiction was published perhaps in daily 'Khabrain'. It is correct that I read the press-clipping dated 09-7-1997 appearing in daily 'Nawa-e-Waqt' Exh.DE. Volunteers that the contradiction was published in daily 'Khabrain' dated 10-7-1997 Exh.PA and thereafter there was another contradiction got published by Maulana Ghulam Sarwar Qadri on 12-7-1997 in daily 'Khabrain' Exh,PB. I cannot say if the contradictions, as mentioned above, was not published in other newspaper but except 'Khabrain'. It is incorrect to suggest that me and my family suffer from disease known as 'schizophrenia'. It is incorrect that my family members suffer from these disease. Volunteers that only my one son is mentally retarded. It is incorrect that my other family members also suffer from the disease, as mentioned above. I do not know if the best courses for a person claiming himself to be Prophet or that the person should be treated mad., the personal should be counselled, that he should be murdered or that the criminal case should be got registered. Volunteers that I adopted the legal course. I became witness against accused as a legal course and today I am standing in the court. I would have got the case registered against the accused if this case had not been registered. If this case had been registered in the year 1999, I would have not

waited for such a long period. It is incorrect to suggest that I have appeared as a witness in this case due to enmity. It is correct that in my opinion the accused has committed a major offence. It is correct that Yousaf, accused, committed the major crime in the month of April, 1996. If some one in my presence 'توڑ بائ' causes insult to the Holy Book of Quran by throwing it on the ground, I must pick up the Holy Book of Quran and I must kiss the Holy Book of Quran and that say 'استغفر اللہ'. Moreover, while for that person I must say that you dirty man, what you have done. If some one claims for himself to be the Holy Prophet (Peace Be Upon Him) I shall carry that person to the Police Station. It is correct that when Yousaf, accused, claimed for himself to be the Holy Prophet (Peace Be Upon Him) I did not carry him to the Police Station. Volunteers that I myself as being the single witness was not enough. On claiming to be Prophet by Yousaf, accused, I obtained Fatwa from Ulma-e-Karam named Maulana Yousaf Ludhianwi, Justice Taqi Usmani, Maulana Akram, Maulana Riaz Hassan and Maulana Ubaidullah. All these Fatwas were oral. Volunteers that the Fatwa given by Maulana Yousaf Ludhianwi was in writing. I obtained these Fatwas in between July to December, 1996 or onward upto March, 1997. All these Ulmas belong to Ahle-Sunnat-wal-Jamaat School of thought'. I obtained these Fatwas for confirmation of my views and also as second opinion. It is incorrect to suggest that I have appeared as a witness on the direction of Brig. Aslam, my Murshid. It is correct that with the passage of time there is change in modern age. It is incorrect to suggest that I have falsely deposed today due to enmity.

R.O & A.C.
24-4-2000.

PW-3

STATEMENT OF MOHAMMAD ISMAIL SHUJAABADI,
S/O of Abdul Khaliq, caste Jat Varya, aged 45 years, profession
Shopkeeper R/O Muslim Town, 5-Hussain Street, Lahore, on
oath.

I am Secretary General of 'Majlis-e-Khatam-e-Nabuwwat' of Lahore Branch. Yousaf Ali, accused, present in the court, is resident of Defence, Lahore. Yousaf Ali, accused, claimed for himself to be the Prophet. He claimed to be the continuity of Hazrat Mohammad, Holy Prophet, (Peace Be Upon Him) and also the resemblance of the Holy Prophet (Peace Be Upon Him). He claimed for himself to be Mohammad-ur-Rasoolullah of this age. He called his



family members as 'Ahl-e-Bayat'. He called his Motqadeen as 'Ashab-e-Rasool', due to which the Muslims were flared up as their sentiments were injured. Yousaf, accused, tried to commit zina with the woman. He received the cash amount in lacs from his followers. He defiled the Holy Prophet (Peace Be Upon Him). He expressed his views, as mentioned above, on 28-2-1997 while delivering 'Khutba Juma' in mosque known as 'Bayat-ul-Raza' situated in Yateemkhana Chowk at Lahore. On application Exh.PC, moved by me to SSP, Lahore this case was registered.

After registration of the case, I produced one audio cassette and one video cassette before the police.

Note At this stage, the sealed parcel has been de-sealed.

Audio Cassette Exh.P-2 and Video Cassette P-2(1-2) are present in the court, which I produced before the police. Besides it, I produced 22 pages of diary of Yousaf, accused, which are Exh.P-3(1-22). Articles P-1 to P-3, as mentioned above, were taken into possession

vide recovery memo Exh.PD, attested by me.

At this stage, the learned defence counsel has raised some objections, which are as

under:-

i) "Under Article 164 of Qanoon-e-Shahadat Order, it is mandatory that the permission of the trial court must be sought for producing any evidence, which has been created by mechanical devices and any such other mode'.

ii) And since the prosecution has not sought or the court has not given its approval for producing such evidence, it cannot be tendered or read into evidence before the pre-requisite condition of Article 164 of Qanoon-e-Shahadat Order.

iii) Without prejudice to Objection No.1, the defence or the accused has not been provided the copy of Audio, Video and copies of the diary allegedly written by Yousaf, accused.



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[Signature]

9/8/2012

iv) And that since the photo copies of the diary are being produced in absence of the original therefore, same cannot be produced in evidence'.

At this stage, the learned District Attorney also states that the Video Cassette produced in the court in the shape of Exh.P-1(1-2) are infact two independent Video Cassettes, out of which one was produced before the Police by the complainant and the second one was produced by Athar Iqbal, PW, before the police, therefore, the Video Cassette produced Athar Iqbal be excluded from the statement of the complainant, as in case of the Video Cassette produced by Athar Iqbal, PW, the separate recovery memo has been prepared.,

At this stage, the parcel has been re-sealed.

(PW is bound down for the next date)



R.O & A.C.
25-4-2000.

28-4-2000.
(PW-3)

Statement of Mohammad Ismail Shaujaabadi,
(Recalled on oath)

I produced one audio Cassette one Video Cassette and 22 photo stat pages of the diary of Yousaf, accused. The Audio Cassette is Exh.P-1, while Video Cassette P-2 but inadvertently I stated about two Video Cassettes Exh.P-2(1-2) and actually I had produced only video one cassette Exh.P-2. Alongwith Application Exh.PC, photo copy of one page of diary Exh.P-4 was also produced by me.

At this stage, the learned defence counsel has raised the objection that since the document Exh.P-4 is a photo stat copy, so it is inadmissible in evidence. This objection shall be examined at the stage of final arguments.

XXXXX By Mr.Saleem Abdur Rehman,
learned defence counsel.

I have gone through the FIR of this case. I had not compared my statement Exh.PC with formal FIR Exh.PC/1. Since I had not compared the statement Exh.PC with formal FIR Exh.PC/ , therefore, I cannot say if formal FIR Exh.PC/1 is in accordance with my complaint Exh.PC. It is correct that with regard to the allegations in statement Exh.PC I am not

witness of the spot. It is correct that Yousaf, accused, never claimed to be Prophet in my presence. It is correct that he levelled no allegation as contained in complaint Exh.PC in my presence. I have some religious knowledge. It is correct that in accordance with Sharia and also in accordance with the law of our country, a false allegation is an offence. 'Bhotan' means levelling of such allegation which does not exist. It is correct that I never met Yousaf, accused. It is correct that I stated about Yousaf, accused, in my application Exh.PC as 'Dagabaaz'. I met Brig. Aslam (PW) for the first time in the month of June or July, 1997. I met Rana Akram, PW, for the first time in the month of April, 1997 and it was arranged in the first week of April, 1997. It is correct that in accordance with Sharia a person is presumed to be innocent unless and until the allegation is not proved. I have not read anywhere that the person, who levels a false allegation, is treated as "Mardood". Volunteers that such like person is "Dajjal" and "Kazaab". The definition of a Muslim is given in 'Sura-e-Baqra' of Holy Quran and same is repeated in our Constitution. I can also define the word 'Muslim' in Urdu. It is correct that for a Muslim it is essential that he should believe on 'Kalma Tayyaba'. It is correct that I and others asked the Government of Pakistan to hang Yousaf, accused. In accordance with my own views, the allegation against Yousaf, accused, was proved. I had not heard Yousaf, accused, till today. Volunteers that I have heard him through audio and video cassettes and that out of the diary owned by Yousaf, accused. I had used the words "Dhokeybaaz", "Makaar" and "Daghabaaz" in my statement i.e examination-in-chief. Yousaf, accused, had got published his contradictory statement in the newspaper but it was nonsensical. It is correct that Exh.DC is same contradictory statement made by Yousaf, accused. Volunteers that the person, who falsely claims for himself to be the Prophet contradicts his claim in the general public but maintains his claim in his followers. There is no such incident in the history of Islam that any 'Mula' levelled such like false allegation against a 'Waliullah'. Mohammad Mumtaz Awan and Mian Mohammad Awais, the PWs, provided me the Audio Cassette. This Audio Cassette was provided to me in the middle of March, 1997. The Audio Cassette was provided to me by the witnesses by saying that it is with regard to the Khutba given by Yousaf, accused and it was with regard to "Khutba Juma" of 28-2-1997. Those witnesses were known to me earlier. The Video Cassette was also provided to me by the above mentioned witnesses. The Video Cassette was also given to me in the middle of March, 1997. The date of

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Video Cassette with regard to speech therein is not known to me. I had heard the Audio Cassette and seen the Video Cassette and thereafter I had taken some points. I had obtained the VCR and T.V of another person. I heard the Audio Cassette alone but I saw the Video Cassette in presence of my other colleagues belonging to our Jamaat, their names are Qari Mohammad Ramzna, Maulana Aziz-ur-Rehman, Qari Mohammad Ali and Mumtaz Awan. Mumtaz Awan and Mian Mohammad Awais told me at the time of display that this Video is that of Yousaf, accused. They told me that at the time of deliver of speech, they were present at the spot but they had not made the Video Cassette. I did not ask as to who prepared the Video Cassette. I do not know if the video Cassette was prepared by any police officer or an officer of an Agency. As far the Audio Cassette is concerned, Mumtaz Awan and Mian Mohammad Awais told me that the voice in the Audio Cassette is that of Yousaf, accused. It is correct that I produced Audio Cassette and Video Cassette alongwith complaint Exh.PC. Volunteers that I had not given the Audio and Video Cassettes to SSP. I had produced the Audio and Video Cassettes before the Investigating Officer on 29-3-1997. It is correct that the audio and video cassettes remained in my custody till 29-3-1997. I did not inquire about the contention of Yousaf, accused, after seeing the Video Cassette and hearing the Audio Cassette. Volunteers that his contention was clear, after hearing the Audio Cassette and seeing the Video Cassette. Many persons had inquired from Yousaf, accused, about his views and he expressed the same views as expressed in the Vide Cassette and Audio Cassette, therefore, I did not prefer to inquire about his contention. The statement of Mian Abdul Ghaffar was published in daily 'Khabrain' which intimated that he approached Yousaf, accused, for clarification. I had discussion with Mian Abdul Ghaffar on this point and I also read the same in the newspaper. Mian Abdul Ghaffar is not a religious scholar. Volunteers that he is journalist. After having the clarification from Yousaf, accused, there is no need of any further clarification.

(PW is bound down for the next date)

R.O & A.C.
28-4-2000.

On 28-4-2000 statement of one CW was also recorded, which, in verbatim, is as under:-

CW-1

STATEMENT OF KHUSHI MOHAMMAD,

S.I. Police Lines, on oath.

In compliance with order of this court, I have got the duplicate of Video and Audio Cassettes, handed over to me and I have presented the duplicate and the original in the court today. The duplicates are strictly in accordance with the original, either it is Video Cassette or Audio Cassette.

R.O & A.C.
28-4-2000.

08-5-2000
(PW-3)

Mohammad Ismail Shaujaabadi,
(Recalled on oath)



It is correct that at the time of hearing of Audio Cassette I was present in the court. It is correct that copy of the Audio was displayed for hearing. The copy of the Audio was provided by the Investigating Officer on the direction of the court. I had got prepared a copy of the Audio Cassette for my personal use prior to producing the original before the police and that no other copy was got prepared. Mumtaz and Awais had provided me the Audio and Video Cassettes and they told that they had brought it from Baitul Raza(mosque). The Audio Cassette is for the date 28-2-1997 relating to Khutba Jumma. Since I was not present at the spot, therefore, I do not know as to whether any Video Cassette for 28-2-1997 was prepared or not. I do not know the dates relating to the Video Cassette produced by me before the police. It is possible that the Video Cassettes may be one year or one and a half years old. The police had prepared the transcript of Video and Audio Cassettes as well. I have read those transcripts. I obtained copy of the transcripts from the police. I do not remember the dates on which I obtained the copies of the transcripts. It is correct that on reading the transcript of Audio Cassette it looks that it is relating to any Khutaba for the month of Rabiul Awwal. I can tell the Islamic name of the months of Hijri Calendar. It is correct that the month of Rabiul Awwal comes first from the month of Shawal. I do not know if on 28-2-1997 it was 19th Shawal 1417 A.H. Volunteers that in the Video Cassettes there is one Khutba of Rabiul Awwal. It is correct that on the delivery of speech by the accused many people sitting there were raising the naras of 'Allah-o-Akbar' and 'Nara-e-Risalat'.

On hearing the speech of the accused, either in the Audio Cassette or in the Video Cassette or in

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the transcript or in the newspaper, the sentiments of the Muslims were injured including myself. It is incorrect to suggest that by showing the Audio and Video Cassettes, I exploited the general public against Yousaf, accused. I came to know from followers of Yousaf accused that the pages of the diary were written by Yousaf, accused, out of them, Raja Akram, Sohail Zia, Noman Elahi and others were the followers of Yousaf, accused. Sohail Zia met me first who told that the pages of the diary are written by Yousaf, accused. Before meeting Sohail Zia, I had read the Magazine Takbeer, wherein the 'Akas' of pages of the diary were published. It is correct that the accused had no correspondence in writing with me prior to registration of the case.

(PW is bound down for 2.00 p.m today)



PW-3. Mohammad Ismail Shujaabadi,
(Recalled on oath.)

I had demanded the transcript from the police. The pages of the diary of the accused were obtained by our office of "Majlis-e-Tahafoz-e-Nabuwwat" established in Karachi from the office of Takbeer Magazine. The pages of the diary were published in two weekly Magazines of Takbeer dated 22-3-1997 and 29-3-1997. The sentence in the Cassettes are with us, used in the complaint Exh.PC means me and no body else. I have used the sentence with regard to the 'Chamdeed' in complaint Exh.PC, which means that those persons from whom Yousaf accused, Was receiving gifts (Nazar and Nazrana), out of whom one Rana Akram, the second is Sohail Zia and Athar Iqbal etc. I was informed about the facts, as mentioned above, by Sohail Zia and Athar Iqbal prior to the registration of the case and same facts were brought into my knowledge by Rana Akram. The names of two eye witnesses named Sohail Zia and Athar Iqbal were in my knowledge prior to the registration of the case. I provided short details in my complaint Exh.PC and I was not supposed to provide the facts in detail in application Exh.PC. It is incorrect to suggest that I deliberately did not mention the names of eye witnesses in complaint Exh.PC for the reason that I could introduce any body as eye witness in this case. I came to know from Audio and Video Cassettes that Yousaf, accused, called his family members as Ahl-e-Bait and his followers as Sohabah. I can tell the word used by the accused for the family members and

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the followers after seeing the transcript. I do not remember the portion of the Audio or the Video Cassettes wherein Yousaf, accused, used the word "Ahl-e-Bait" for his family members. It is correct that I had heard the Audio Cassette and saw Video Cassette a few days earlier in the court. My memory may be short to some extent. It is correct that neither in Audio Cassette nor in Video Cassette nor in transcript there is reference of commission of Zina with married or unmarried women by Yousaf, accused. It is correct that Yousaf, accused, made no effort in my presence to instigate married or unmarried women for commission of zina. Volunteers that I received many telephones calls from the ladies, even 2/3 ladies came to me who stated that Yousaf accused attempted to commit zina with them but in order to save their carrier, they did not tell their names to me. It is incorrect to suggest that Yousaf accused did not make any attempt to commit zina. I accepted the contention of the ladies for the reason that there was no justification to refuse the same. I only heard the claim of the ladies on telephone or of those who came to me. But I did not inquire their contentions. It is correct that neither in Audio nor in Video Cassette Yousaf accused used the dialogue 'MY SOHABI'. Volunteers that Yousaf accused stated in his speeches recorded in the Audio and Video Cassettes that 100 Sahabies are present there and he also defined the word Sohabi. Yousaf, accused, stated indirectly in his speeches he is claiming to be Prophet by pointing out towards himself by his own hand and he narrated as "Walamo Una Fecum Rasool Allah". The accused had pointed out towards himself with his own hand. Yousaf, accused, has written in his diary that he is continuity of Holy Prophet (Peace Be Upon Him). If a person is claiming himself as Holy Prophet, he should explain the reason of any such claim and why should I tell the reason. It is correct that Yousaf, accused, had worn black 'pagari' in one Khutaba and green paghari in the other Khutaba PW volunteers that there are 3/4 Khutabas have been recorded in the Video Cassette.

(PW is bound down for the next date)

R.O & A.C.
08-5-2000.

09-5-2000,
PW-3.

Mohammad Ismail Shujaabadi,
(Recalled on oath.)

9/8/11

It is incorrect to suggest that at the end of one khutaba, Yousaf, accused, has been shown wearing the turban of green colour and before the start of another khutaba he has been shown wearing the turban of black colour. It is incorrect to suggest that after collecting different pieces the Video after its preparation was given to the police. Volunteers that there are different khutabas in the Video Cassette. It is incorrect to suggest that many changes have been caused in the Video Cassette. It is further incorrect to suggest that many changes have been caused in the Audio Cassette as well. It is incorrect to suggest that there is lot of difference in the voices of Audio and Video Cassettes. It is incorrect to suggest that there are many crashes in the Video Cassette as well. It is correct that it is settled principle of Ulma-e-Din that about any dialogue spoken by some one the explanation given by that person shall be taken into consideration and not the explanation given by another person, who had heard the dialogue. Volunteers that with reference to the context, the explanation shall be entertained. It is correct that a false allegation is a major sin at Islam. Volunteers that false allegation means any allegation against any person, which is not in existence. I have visited Masjid Baitul Raza. It is correct that many loud speakers have been installed there. It is correct that Masjid Baitul Raza is surrounded by houses and shops. I did not read about Yousaf accused in any newspaper prior to 03-3-1997. I read about this accused for the first time in Daily newspaper "Umat" from Karachi dated 16-3-1997. It is correct that Abdul Ghaffar is reporter of daily "Khabrain". It is incorrect to suggest that Ghaffar reporter brought a message to me from Zia Shahid Editor from "Khabrain" that this case is to be advanced. I have met Zia Shahid in his office. The Audio and Video Cassette might have been displayed in the office of Zia Shahid but I was not present at that time. Abdul Ghaffar did not tell me that Zia Shahid demanded an amount of Rs.3,00,000,00/- from the accused. It is incorrect to suggest that Zia Shahid has paid sufficient amount to me to pursue this case. Volunteers that I became complainant in this case after discussing the subject with the heads of my party and thereafter on their direction. Our main case is with regard to the defiling the Name of Holy Prophet (Peace Be Upon Him) but the remaining allegations are also correct. It is correct that like "Rozenama Khabrain", the other newspapers did not take the interest in the subject of this case. Volunteers that however, the news with regard to the subject of this case were published in other newspapers as well. I do not remember the dates of daily Jang and daily "Nawa-e-Waqt" in which

the news with regard to this case were published. It is correct that I did not like the contradiction made by Yousaf accused in daily "Jang" and daily "Nawa-e-Waqat". Volunteers that such like person negates his claim when there is a grip on him and when the grip is loose he submits his false claim again and it has happened in the past as well. It is correct that I did not like the name of house of Yousaf, accused, as "Jannat-e-Tayyaba". Volunteers that it is in the same manner as "Mirza of Qadiani" called his place of worship as "Masjid-e-Aqsa". I do not know the name of mother of Yousaf, accused. However, I know the name of wife of Yousaf, accused, which is Tayyaba Yousaf Ali. Volunteers that I know this name because she has filed a case against me. I have objection on the name of house of Yousaf, accused, as "Jannat-e-Tayyaba", despite this explanation that name of his wife is Tayyaba and name of his mother was 'Jannat'. Volunteers that whoseover uses Islamic terms for himself is an objectionable act for us. I do not use the word Maulana for myself but my friends call me a 'Maulana'. I have no objection if Maulana is written with my name. The word Maulana is not used for anyone in the Holy Quran. When Anta Maulana words are used in the Holy Quran, these words are meant for Allah Almighty. It is correct that our Holy Prophet and the Sohaba did not use the word Maulana for them. Volunteers that now a days the word Maulana, Syadian, Mula and Imam are used for 'Ulma-e-Din'.

(PW is bound down for the next date)

R.O & A.C.
09-5-2000.

11-5-2000.
PW-3.

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Statement of Mohammad Ismail Shujaabadi,
(Recalled on oath.)
By Mr. Saleem Abdur Rehman,
learned defence counsel.

I had no objection on publication of the rebuttal of Yousaf, accused, by "Nawa-e-Waqat" and "Jang" daily. Volunteers that the publication is the business of the Newspaper and that particularly the publication of adds is the business of the Newspaper. I do not remember if I got published in any newspaper that the publication of the rebuttal of Yousaf, accused, in daily "Nawa-e-Waqat" and "Jang" is not liked by me. Volunteers that the rebuttal was frivolous. I did not see the Video Cassette given by Athar Iqbal, PW, to the police. I did not see even after

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knowledge is only Audio and Video Cassettes. Volunteers that the evidence is also my source of knowledge. My emphasis is on four things. Volunteers that audio, video, pages of the diary and — the eye witnesses. I do not know if the audio and video cassettes can be tampered now a days mechanically. I do not know if any artist can copy the voice of another. It is incorrect to suggest that my statement before police and also in the court was based upon sentiments. It is incorrect to suggest that I became complainant in this case due to the police pressure. It is incorrect to suggest that I became complainant in this case to achieve cheap popularity.

R.O & A.C.
11-5-2000.



PW-4.

HAFIZ MOHAMMAD MUMTAZ AWAN,
son of Ghulam Mohammed, caste Awan, aged
36 years, profession Business r/o Shamnagar
Road, near Choburji Chowk, Lahore, on oath.

On 28-2-1997, I and my companion Mohammad Awais went to mosque known :Baitul Raza: for Juma Prayer. The mosque is situated in Chowk Yateemkhana. Yousaf, accused, present in the court delivered his speech prior to Khutba Juma. His speech was amounting to defiling the name of Holy Prophet (Peace Be Upon Him). Similarly, he declared hundred persons, present in the mosque as 'Sahabe Rasool'. He introduced two persons namely "Zahid Zaman" and Abdul Wahid as Sahabi, and he introduced himself as the Holy Prophet. After purchasing the audio and video cassettes from the bazar of Yousaf Ali, accused, I produced the same before Ismail Shujaabadi, the complainant of this case. I have heard the audio cassette and saw the video cassette. The audio and the video cassettes were that of Yousaf Ali, accused.

XXXXX By Mr.Saleem Abdur Rehman,
the learned defence counsel.

I am educated up to Middle. Moreover, I am Hafiz-e-Quran. My statement before police was recorded. I did not sign or thumb mark my statement. My statement was recorded in the mosque Baitul Raza on 29-3-1997 at 9.00 p.m. Two days earlier Ismail Shujaabadi told us to reach the mosque "Baitul Raza" because the Investigating Officer had to come there for investigation. I do not remember if it was holiday on 28-2-1997. My place of business is situated near "Urdu Bazar". I did not attend my business on 28-2-1997 because it was holiday for me. I

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did not perform holiday on Sunday earlier but I performed the same on Sunday when it was declared holiday by the Government. It is correct that my house is situated at a distance of about six kilo-meters from mosque 'Baitul Raza'. It is correct that the juma prayer is also performed in the mosque 'Ithad-Bainul Muslimeen'. It is correct that five or six mosques are situated in between my house and mosque "Baitul Raza, I did not state before police as to where from in the Bazar, I had purchased the audio and video cassettes. I stated before police that I handed over these cassettes to Ismail Shaujaabadi. Confronted with Exh.DF, where it is not so recorded. Yousaf Raza, Khateeb of mosque 'Baitul Raza' had introduced Yousaf Ali, accused, in the mosque but he himself had not delivered the speech, and Yousaf Raza introduced Yousaf Ali, accused, as his 'Peer' and 'Murshid'. I myself did not get prepared the duplicate of audio cassette or the video cassette. I, in the company of complainant, had heard and seen the audio and video cassettes. The introduction of Yousaf, accused, made by Yousaf Raza, Khateeb, is not present in the audio cassette. On 28-2-1997, the Video Cassette was also being prepared. I could not get the video of 28-2-1997. Yousaf Ali, accused, stated about the two persons, as mentioned above, as 'Sahab-e-Rasool' and he did not say about those as his Sahabi. Volunteers that Yousaf, accused, said that Sahabi is that person, who with his own eyes has seen the Holy Prophet (Peace Be Upon Him) and who has passed time with Holy Prophet (Peace Be Upon Him) When Yousaf, accused, stated about two persons as Sahabi of Rasool at least hundred persons were present in the mosque. Since I did not perform the Juma prayer in the mosque after hearing the speech of Yousaf, accused, therefore, I do not know the number of people present at the time of Juma prayer. I left the mosque at about 1.45 p.m. I left the mosque when Yousaf, accused, appreciated the kindness of Mohammad Abubakar and stated that he could not give in return. I told to the police that on calling Mohammad Abubakar by Yousaf, accused, I had left the mosque. This fact is incorporated in the Audio Cassette. I purchased the Audio Cassette on the next Friday from a stall run by one Iqbal Butt who is 'Murid' of Yousaf, accused. It is correct that many loud-speakers were installed in the mosque. 'Masjid Baitul Raza' is situated in populated area. The duration of the Audio Cassette is about forty five minutes. I did not raise any objection when Yousaf, accused, spoke against 'Aqeeda-Khatam-e-Nabuwwai'. No one from the audience raised objection on speech of Yousaf, accused. Volunteers that most of them were 'Murid' of Yousaf, accused. It is correct that

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mostly the slogans of 'Nara-e-Takbeer' and 'Nara-e-Risalat' were being raised. I belong to Hanfi School of thought, and being 'Ahl-e-Sunnat, I do not believe on beaing Bralvi and Dao Bandi as these are School of thought and these 'Alqabs' have been given by British. I am not regular member of "Majlis-Khatam-e-Nabuwwat". Volunteers that I have some connection/link with 'Majlis-e-Khatam-e-Nabuwwat'. I know the complainant of this case for the last ten or twelve years. Mian Mohammad Awais was present alongwith me in the mosque 'Baitul Raza'. I know Mian Mohammad Awais for the last eight or ten years. He was sitting alongwith me when the speech was being delivered by the accused. It is correct that I felt the speech of Yousaf, accused, as highly objectionable. I myself did not inform to the police about the objectionable speech of Yousaf, accused, in between 28-2-1997 to 29-3-1997. Volunteers that in the meantime, I was called by the complainant. It is correct that I did not perform Juma prayer in mosque 'Baitul Raza' prior to 28-2-1997. It is correct that I have made statement in this case at the instance of the complainant. It is incorrect to suggest that I did not perform Juma prayer in mosque 'Baitul Raza'. Yousaf, accused, was wearing the turban of black colour, while delivering the speech. He did not change his turban during the speech. I provided the audio and video cassettes to Ismail Shujaabadi in the middle of March. Besides Ismail Shujaabadi, Mian Mohammad Awais, Qari Mohammad Ali, Mohammad Ramzan, and Maulana Aziz-ur-Rehman were present at the time of hearing and seeing the audio and video cassettes. Again said, we only saw the video cassette in presence of the above mentioned persons. If Ismail Shujaabadi had not got the case registered, then I myself had got the case registered because I had determined in this regard. I had got the case registered in those days if Ismail Shujaabadi had not got the case registered. It is incorrect to suggest that I did not get the case registered because due to lack of religious knowledge I could not understand the speech delivered by Yousaf, accused. After purchase the Audio and Video Cassettes remained with Mian Awais. It is incorrect to suggest that I have falsely deposed today.

R.O & A.C.
16-5-2000.

PW-5

MIAN MOHAMMAD AWAIS,
son of Mian Mohammad Shafique
aged 36 years, profession Cultivator,
caste Arain r/o 5-4-c/III, Gulberg-III,
Lahore, on oath.

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On 28-2-1997 I and Mumtaz Awan went to mosque 'Baitul Raza' to perform Juma prayer. Yousaf Ali, accused, was present in the mosque. Yousaf, accused, while on the 'Mimbar-e-Rasool' delivered his speech. During his speech, he stated that at present hundred Sahabi are present. He explained that Sahabi is that who has seen the Holy Prophet (Peace Be Upon Him) in the state of his faith Iman). He called two persons named Zaid Zaman and Abdul Wahid and introduced them as 'Sahabi Rasool'. Those persons came forward and delivered speeches for moment and thanked for declaring them most fortunate. During speech, he produced himself as 'Rasool Allah' (Allah Almighty forbid). I have seen Yousaf, accused, in the court today. My statement was recorded before police. I have seen the accused today present in the court, who had delivered the speech, as mentioned above.

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By Mr. Saleem Abdur Rehman,
the learned defence counsel.



I stated about the residence of accused in Defence Area in my statement before police and this fact was told to me by Ismail Shujaabadi. When I went to Ismail Shujaabadi, I told to him about hearing the speech of Yousaf, accused, in mosque 'Baitul Raza', on which Ismail Shujaabadi said that he is taking action against Yousaf, accused. I know Ismail Shujaabadi, complainant, for the last eight or ten years. I went to Ismail Shujaabadi, complainant, on the same day when I heard the speech of Yousaf, accused, when I met to Ismail Shujaabadi, complainant, he stated that he is taking some action against Yousaf, accused. I and Mumtaz Awan, Pws, after purchasing audio and video cassettes gave to Ismail Shujaabadi, complainant, I provided audio and video cassettes to Ismail Shujaabadi, complainant, after one week of hearing of speech of Yousaf, accused. I did not state before police that after purchasing of audio and video cassette, I gave to Ismail Shujaabadi, complainant. We saw and heard video and audio cassettes after four or five days of the speech of Yousaf, accused. Volunteers that I do not remember the exact period. My statement before police was recorded after Isha Prayer on 29-3-1997 in mosque 'Baitul Raza', at about 9.30 p.m. It is correct that my residence is at a distance of eight or ten k.m. from mosque 'Baitul Raza'. It is correct that seven or eight mosque are situated in the way where Juma prayer is performed. It was public holiday on 28-2-1997. My own land is situated in the area of Thokar

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Niaz Baig. The duration of the speech of accused was about forty five minutes. I came to know through Ismail Shujaabadi, complainant, that the case was registered on 29-3-1997 and I was asked to make statement by the complainant. Before the speech of Yousaf, accused, one Yousaf Raza, to whom I do not know, perhaps he is 'Mutwali had delivered the speech. The name of Yousaf Raza was known to me earlier. My uncle named Hakim Zulqarnain resides in one street situated near to mosque 'Baitul Raza' and he told me the name of Yousaf Raza. My uncle Hakim Zulqarnain was also present in the mosque on 28-2-1997. About hundred people were present inside the mosque at the time of speech delivered by Yousaf, accused. Anyhow, according to my estimation about four hundred or five hundred people inside and outside the mosque were present at the time of speech delivered by Yousaf, accused. The accused had not stated about the two persons as his Sahabies but he had stated about them as 'Sahabi Rasool' I had not performed my juma prayer in mosque 'Baitul Raza' prior to 28-2-1997. I am not regular member of 'Majlis-e-Khatam-e-Nabuwwat'. Volunteers that I have link with 'Majlis-e-Khatam-e-Nabuwwat'. It is correct that the loud-speakers were installed at the time of Juma in mosque 'Baitul Raza'. I do not know if four or five hundred people, present there, were hearing the speech of Yousaf, accused. It is correct that I did not raise any objection at the time of defiling the name of Holy Prophet (Peace Be Upon Him) by Yousaf, accused, in his speech on 28-2-1997 in mosque 'Baitul Raza'. It is correct that no one else raised any such objection. Volunteers that I do not correctly remember in this regard. I belong to 'Ahle-Sunnat School of Thought' I am neither 'Bralvi' nor 'Dao Bandi'. It is incorrect that I have made my statement at the instance of the complainant. Volunteers that whatsoever I saw and heard, I have deposed about the same in the court. I had also moved an application in the shape of objections against Yousaf, accused, in P.S. Millat Park, Lahore but I do not remember the exact date. It is incorrect to suggest that I have falsely deposed today. It is incorrect to suggest that I did not perform Juma prayer in the mosque 'Baitul Raza' on 28-2-997. Volunteers that after hearing the speech of Yousaf, accused, I was sure that my prayer of Juma behind him shall not be accepted, so I did not perform my Juma prayer on 28-2-1997.

R.O & A.C.
16-5-2000.

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PW-6

STATEMENT OF ATHAR IQBAL
son of Zafar Iqbal, aged 40 years,
Caste Arain, profession R.C.C. Pipe
Factory, r/o Canal View Husing
Society, Lahore, on oath.

Note.

Before recording the statement of the witness the Video Cassette in a sealed parcel has been de-sealed.

On 18-4-1997, I joined the investigation of this case. I produced Video Cassette Exh.P-5 before the Investigating Officer. I was taken into possession vide recovery memo Exh.PE, which was attested by me.

At this stage, the learned defence counsel has raised the objection that under Article 164 of the 'Qanoon-e-Shahadat Order', it is the mandatory provision of law that prior to producing or tendering in evidence any evidence made available through mechanical devices or any other such mode is inadmissible in evidence. Further that the prosecution by legal compulsion must take prior approval of the trial court before producing the video cassette.

The objection raised by the learned defence counsel shall be taken into consideration and examined at the stage of final arguments.

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By Mr.Saleem Abdul Rehman,

the learned defence counsel.

I had seen the video cassette myself prior to handing over to the police. Firstly, alone and then in presence of Qari Aziz of Ahbab Colony. I alone saw the video cassette on 18-3-1997. I have no concern with 'Pasban Khatam-e-Nabuwwat' I have no concern with my religious party. While handing over the Video Cassette to the police, I did not keep any duplicate with me. The Investigating Officer had made the Video Cassette in a sealed parcel and at that moment this video cassette was alone. I had obtained the Video Cassette from one 'Iqbal Butt', who is Murid of Yousaf, accused. I did not tell this fact at the time of recording my statement. I did not pay any price to Iqbal Butt. Volunteers that the payment was made by me friend 'Ibrar' who introduced 'Iqbal Butt'. I have not read the transcript of this Video Cassette prepared by the police. It is incorrect that Yousaf, accused, has been shown in this Video Cassette while wearing the turban black and green colour. Volunteers that only turban of black colour was worn by Yousaf, accused, and that this video cassette consists of two Khutbas. I had seen another video cassette of



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Yousaf, accused, in May, 1997. I saw that cassette in presence of my family members. I obtained that cassette from Sohail Zia, who is my cousin. Volunteers that he was 'Murid' of Yousaf, accused. It is correct that Sohail Zia is also a witness in this case. I just saw the second cassette in My, 1997 in routine as this matter was being discussed in my family. The instant case was registered on 29-3-1997 in Police Station Millat Park in my presence. The case was registered at about 6.00 p.m. I never knew Mumtaz Awan, prosecution witness of this case. However, Sajid Munir Dar was known to me, for the last six or seven years. I produced the video cassette voluntarily before the police. I had met Ismail Shujaabadi, complainant of this case. I met him 23rd or 24th of March, 1997. I do not know if my name as witness of this case was published in daily 'Khabrain'. I did not provide my name for publication in the newspaper. I came to know about Mian Abdul Ghaffar, Journalist of 'Khabrain' when he published the news relating to this case. I met Ismail Shaujaabadi, once prior to registration of this case. I had been meeting with him off and on. I met Ismail Shujaabadi, complainant of this case, for the second time in the Police Station on 29-3-1997. It is incorrect to suggest that I have appeared as witness at the instance of complainant of this case. I did not read about registration of the case in the newspaper.

The Video Cassette has been re-sealed.

R.O & A.C.
18-5-2000.



PW-7.

MOHAMMAD ALI ABUBAKAR, son of Abubakar, aged 51 years, profession Business, caste Memon R/O 97/1 Khiaban-e-Bheria, Phase-5, Defence Karachi, on oath.

I know and identify the accused Yusaf, present in the court. About in the month of June, 1994, my relative Rizwan told me that the learning of Holy Quran by me may be based upon poor knowledge, therefore, if I have to learn the Holy /Quran, I should contact with Abul Hasnain Mohammad Yousaf Ali, accused. So in the month of June, 1994 Rizwan arranged my meeting with Mohammad Yousaf Ali, accused. It was arranged in the house of Abdul Wahid. I was much impressed from the knowledge of Yousaf, accused. In the first meeting arranged in the house of Abdul Wahid, when I met to Yousaf, accused, he said that so long I see the Holy Prophet (Peace Be Upon Him) with my own eyes, I shall not die. and directed me to recite 'Darood Sharif' in

abundance. Thereafter, I had been meeting with Yousaf, accused. Then in a meeting in the house of Abdul Wahid, Yousaf, accused, called me as Abubakar Siddique. Then Yousaf, accused, came to my house when I was going to perform 'Umra' alongwith my family. Yousaf, accused, said to me that there is no need to perform 'Umra' and he can arrange 'Umra' here. He said that 'Makan' is there and the 'Makeen' is here, on which I was angry and he allowed me to perform 'Umra'. When I came back after 'Umra' Yousaf, accused, again started talking with me on my meeting with Holy Prophet (Peace Be Upon Him). Yousaf, accused, asked me as to could be the top-most-surrender on my part for him, on which I replied that whatsoever is desired by him. Then he asked me to arrange a room in my home and to decorate the same. When I decorated the room, Yousaf, accused, came to Karachi from Lahore and he liked the room and said that it is 'Ghar-e-Hira'. The furniture in the room was of black and green colour. Yousaf, accused, came back to Lahore and thereafter when he came to Karachi, he resided in the room decorated by me in my house and some times Yousaf, accused used to settle in the house of Abdul Wahid. When he came in my house, he said that he shall arrange my meeting with the Holy Prophet (Peace Be Upon Him). He called me in the room of my house and asked me to close my eyes. He further asked to recite 'Darood Sharif'. When I started reciting Darood Sharif, he asked me to open my eyes, and when I open my eyes, he all of a sudden, took me in his 'Jhappa' and said that he is the 'Mohammad'. But I started weeping and he kept me in his 'Jhappa'. When he released from his Jhappa, I was feeling shivering and I was feeling sweating and I could not understand as to what has happened and thereafter I came out from the room. The followers of Yousaf, accused, were sitting outside the room. They congratulated me on my physical meeting with the Holy Prophet (Peace Be Upon Him) as Yousaf, accused, had been talking a meeting with the Holy Prophet (Peace Be Upon Him) earlier. Then, when Yousaf, accused, came from Lahore to Karachi and he settled in the house of Abdul Wahid, where Yousaf, accused, on the pretext of purchasing the house, demanded an amount of Rs.50,00,000/- (fifty lacs) which I paid to Yousaf, accused. I paid rupees twenty four lac to Yousaf, accused, through Bank and I paid rest of the amount after arranging the same from my fiends. I produce photo copies of the Demand Draft amounting to rupees three lac, five lacs, two lac fifty thousand, two lac (Mark 'A' to Mark 'D'). I produce original receipt for encashment of dollars amount of Rs 24,02,410.50 (Exh P-6), photo copy

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Mark 'E' with regard to dollars amounting to Rs.20,950/-. Then Yousaf, accused, demanded one Air-Conditioner from me, which I purchased from the market, the receipt of which is Mark 'E'. This Air-Conditioner was installed in the room arranged for Yousaf accused in the house of Abdul Wahid. Then Yousaf, accused, purchased carpet from Karachi for which I paid an amount of rupees eleven thousand, the receipt of which is Mark 'G'. I also produce the original letter of City Bank (Exh.P-7) I also purchased furniture for the room of Yousaf, accused, and he brought the furniture to Lahore. I had purchased this furniture in the amount of rupees one lac and forty eight thousand. Then Yousaf purchased curtain etc., from Karachi for which I paid an amount of rupees fifty three thousand. I paid an amount of rupees sixty seven lac in total. Yousaf, accused, returned me an amount of rupees twenty four lac through City Bank, out of the amount, as mentioned above. When I demanded the remaining amount, he said that so far he has not received the money from Madina and as soon he receives the money, he shall make the payment. Then Yousaf, accused, was arrested and that I had no contact thereafter.

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I had the diary of Yousaf, accused, in my custody, which I deliberately did not produce before police and had I produced the same before the police, then I may not be survived today, therefore, I produce the diary (P-8/1-116) which means that it consists of one hundred and sixteen pages. While handing over this diary to me, Yousaf, accused, said to me that after reading this diary I shall rely on him. Before arrest of Yousaf, accused, I had met him once in the house of Abdul Wahid, in the Majlis of 'Qawwali'. Yousaf, accused, said in the open meeting, even in presence of 'Qawwal' that so long the members of the Majlis would see the Holy Prophet (Peace Be Upon Him) no one shall die. Thereafter, once I was going to attend a Mhefil of 'Naat Khawni', on which Yousaf, accused, said to me that the person for whom he is going to attend the 'Naat Khani' is sitting here and for whom he is going to attend the Majlis of 'Naat Khani'. On each occasion, Yousaf, accused, was posing himself 'Mohammad' in such a way as if he was claiming to be the Holy Prophet (Peace Be Upon Him) and when I came back after attending of Majlis of 'Naat Khani', Yousaf, accused, called me in his room and he was too angry with me for violating his order, and said that since I have violated his order, I shall be involved in 'Azaab' by Allah Almighty. On 28-2-1997, the marriage of daughter of Yousaf, accused, was to be performed in the evening time and in the early hours, Yousaf, accused, had called the meeting of

'World Assembly' in mosque 'Baitul Raza' and an Invitation Card Mark 'H' was sent to me to participate in the Assembly arranged in mosque 'Baitul Raza' I got this Invitation Card Mark 'H' from the administration of Magazine known as 'Takbeer'. I had received the card but it was blank and I had given the same to the Magazine 'Takbeer'. I had attended the meeting of the Assembly in mosque 'Baitul Raza' on 28-2-1997, where the Audio and Video Cassettes were prepared. Yousaf, accused, got introduced his hundred 'Sahabies' in attendance in the mosque. He introduced Abdul Wahid and Zaid Zaman as his 'Sahabies' and they also delivered their speeches to some extent. While delivering the speech, Yousaf, accused, explained as to why he selected mosque 'Baitul Raza' for the 'World Assembly' and why he did not select 'Masjid-e-Nabvi' and why not 'Masjidul Haram' is not selected and he selected mosque 'Baitul Raza' in the same manner as 'Ghar-e-Hira' was selected by Allah Almighty. He, then, stated that some 'Surat' some Ayat and even 'Quran' is present here. He further said that Hazoor Sallaho Alhe Wassalam is not on duty but is his 'Atta' that a Rasool is addressing you and thereafter Yousaf, accused, got myself introduced, and said that if the Holy Prophet accepted the service of any body he was Abubakar, whose name is 'Mohammad Ali Abubakar'. I was sitting in the third or fourth row. I was brought from there and introduced in the Assembly while bringing me near the pulpit (Mimber) in the way that I served Yousaf Ali, accused, and first I was Abubakar and now I am Mohammad Ali Abubakar and when I was called as Abubakar, it meant that I was 'Sahabi' and now I am only 'Mohammad Ali Abubakar'. After attending the marriage, I came back to Karachi. I had brought some points in writing, which I discussed with my relatives, friends and 'Ulma', including Mohammad Rafique Usmani, Mufti of Darul Aloom' Korangi, Karachi. I also discussed the subject with Maulana Yousaf Lohdianvi and he was too angry with me that first I should correct my 'Imaan' and thereafter I should see him. All these things were said by Yousaf, accused. My statement before police was recorded.

At this stage, the learned defence counsel has raised the objections that all documents produced by the PW and marked and exhibited, as above, are inadmissible under the 'Qanoon-e-Shahadat Order' and therefore should be excluded from any consideration whatsoever. Further-more the defence had no prior knowledge of the existence of the above mentioned documents and produced by the PW.

XXXXX By Mr. Saleem Abdur Rehman,
learned defence counsel.

(PW is bound down for the next date)

R.O & A.C.
23-5-2000.

27-5-2000.

(PW-7) Mohammad Ali Abubakar,
(Recalled on oath.)

XXXXX By the learned defence counsel.

I know that the false statement in the court is an offence. My company got a case registered against me for the allegation of embezzlement. It is correct that photo copy of FIR Exh. 'DG' was registered against me. It is correct that in the above mentioned case (Exh. DG) I am on bail. It is incorrect to suggest that the learned trial court has withheld my P-... It is correct that Farooq Samar, Director of the Company, is my close relative. It is correct that I served in the company for about twenty seven years. It is correct that the name of my daughter is Lubna. It is correct that her husband name is Sohail. It is correct that my daughter and my son-in-law are 'Murid' of Yousaf, accused. My daughter Lubna is not true in her thinking and truthful in my view. It is incorrect that I confined my daughter Lubna for about two and a half years. It is incorrect that any report for the allegation of illegal confinement was recorded in Citizen Police Liaison Committee, Karachi. It is incorrect that I shifted my daughter to another residence out of fear of raid by the Bailiff. It is incorrect that my daughter went to the house of her husband from that place. Volunteers that my daughter went to her husband house from my house. My daughter Lubna remained with me for about one year. It is incorrect to suggest that I pressed my daughter for getting divorce. Volunteers that I had been counselling my daughter that the claim of Yousaf, accused, as 'Rasool Alah' is 'Kufr' so she should refrain from following Yousaf, accused. But she replied that you (Pappa) could not understand Yousaf, accused. It is correct that for the conduct shown by my daughter, I held Yousaf, accused, responsible. When I left 'Farooq Textile Mills' my last salary was rupees sixty thousand. I met Yousaf, accused, finally in the month of January, 1997. My first meeting with Yousaf, accused, was in June, 1994. In my first meeting with Yousaf,

accused, he talked about 'Ehde-Alast' and his talk was quite impressive. I did not give emphasis on calling as 'Abubakar Siddique', by the accused. He called me as such in May or so of year 1995. I was called so in the house of Abdul Wahid in presence of Abdul wahid, Brig. Saleem, Brig. Aslam Malik, Yousaf Siddiqui, Sohail, Kashif, Arif, Rizwan and my others. I made two statements before police after registration of the case. My first statement was recorded on 20-4-1997. My second statement was recorded on 22-6-1997. I did not state before police on 20-4-1997 that when Yousaf, accused, called me as 'Abubakar Siddique', Brig. Aslam Malik and others, as mentioned above, were present in the house of Abdul Wahid. My statement dated 20-4-1997 was recorded in the house of Rana Akram (PW). Most of the persons, as mentioned above, Brig. Aslam, Noman, Yousaf Siddiqui and Rana Akram were present at the time of recording my statement on 20-4-1997. Again said Yousaf Siddiqui was not present in the meeting. I was informed on telephone by Rana Akram about arrival of the police and if I have to make the statement. I arrived in the house of Rana Akram at about 8.00 or 9.00 p.m. for making my statement. I had gone back after recording of my statement. I was informed the object of my recording my statement. I was informed by the police that a case has been registered against Yousaf, accused, and as to what information are with me about the case. Tahir of Takbeer Magazine had informed me about the registration of the case on 11-4-1997. I told to the police about sending of the Invitation Card for 28-2-1997 by Yousaf, accused. Confronted with Exh.DH, where there is no mention of Invitation Card for dated 28-2-1997. I did not state before police that the meeting was held in mosque 'Baitul Raza'. Yousaf, accused, had also invited me for the marriage of her daughter and World Assembly on telephone. Volunteers that Sohail and Lubna came to me and invited positively to join the marriage ceremony. There was another police man alongwith the Investigating Officer., but I do not know his name. I had stated about the details of my statement before the police but the police officer directed me to make the statement in detail in the court. I had stated before police about lending of money to the accused but I did not provide the detail. Volunteers that those details were not available with me at that time. I had not provided the documents to the police, which I provided in the court. It is incorrect to suggest

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that the documents/receipts were not in my custody at the time of recording my statement. Volunteers that those documents/receipts were lying in my house at that time. I had made no effort to hand over those documents/receipts to the police later on. Volunteers that since I was guided to produce those documents/receipts in the court, so I retained the documents with me. I had not produced the documents/receipts even on 22-6-1997. I had informed to the police about the speech of Yousaf, accused, delivered by him on 28-2-1997 and I informed that I had attended the meeting on the above date. Confronted with Exh.DH where it is not so recorded. I might have met Yousaf, accused, for twelve or fifteen times in between June, 1994 to January, 1997. Volunteers that in the meantime Yousaf, accused, used to live in my house. I had stated before police on 20-4-1997 that the meeting of dated 28-2-1997 was held in mosque 'Baitul Raza' Confronted with Exh. DH, where it is not so recorded. I do not know if the diary (Exh.P-8/1-116) is not in the hand writing of Yousaf, accused. Volunteers that it was given to me by Yousaf, accused. I do not know if on 20-4-1997, I had telephoned in the office of 'Takbeer Magazine'. Yousaf, accused gave me diary (Exh.P-8/1-116) in the month of December, 1996 for reading. This diary was taken from me by Mr.Tahir of Takbeer Magazine but I got it from him later on. I had given this diary to Mr.Tahir of Takbeer Magazine after the meeting of 28-2-1997 in mosque 'Baitul Raza' I had given this diary to Mr.Tahir after four or five days of the meeting. I got it back in the month of July or August, 1997. No body told me that this diary is in the hand writing of Yousaf, accused. It is correct that name or the particulars of any one are not given on the diary. The 'Mehfil-e-Milad' was held in the house of my maternal uncle in the year 1996 when Yousaf, accused, had forbidden me to participate. It is correct that I was also 'Murid' of Yousaf, accused. It is incorrect to suggest that I am 'Murid of Brig. Aslam, now a days. The 'Qawwali' was arranged in the house of Abdul Wahid in the end of 1995 or in the beginning of 1996. It is correct that I felt it bad when Yousaf, accused, termed my room as 'Ghar-e-Hira'. It happened in the month of November, 1994, after I came from Saudi Arabia after performing the 'Umra' I was surprised to hear when Yousaf, accused, stated that 'Makan' is there and 'Makeen' is here. I felt this dialogue spoken by Yousaf, accused, as 'Ger Sharee'. This dialogue was spoken by Yousaf, accused, in March or April, 1995 when I came back after performing 'Umra'. I have no relative in

It is incorrect that I come to Lahore off an on. I did not state before Police about arrival

of Yousaf, accused in Karachi off and on. I did not state before police that Yousaf, accused, either resided in the house of Abdul Wahid or in my house. It is correct that I did not tell the total amount given by me to Yousaf, accused, in my statement before police. Volunteers that I had stated about giving the cash amount money to the accused. It is correct that the document (Exh.P-7) is not signed by any body. Volunteers that this document is computerised. It is correct that in Mark 'E' the name of the person who got encashed the dollars is not given. Volunteers that name is not mentioned. It is correct that the name, in whose favour the dollars were encashed, is not mentioned in the document. I purchased Air-Conditioner for Yousaf, accused, in early of 1995 but I do not remember the exact month. I purchased Air Conditioner Yousaf, accused, after my first meeting with Yousaf, accused, in June, 1994. Volunteers that since I was meeting with Yousaf, accused, so the Air-Conditioner was demanded from me, but I do not remember the exact date or the month. It is incorrect to suggest that Yousaf, accused, used to give money to me for making the pay orders/drafts. Volunteers that Yousaf, accused, used to get money from me. It is incorrect to suggest that the documents (Mark 'A' to 'D') are those about which Yousaf, accused, gave me money for their making/issuance. Yousaf, accused, used to explain the meaning of 'World Assembly' in this way that it is being established in 'Madina Munawwara' wherein the Prime Minister, Chief Minister, high dignitaries like President, Generals and Ambassadors etc., are the members. I had read the statement of Maulana Abdul Sattar Niazi in the newspaper in which he confirmed the views of Yousaf, accused, but again Maulana Abdul Sattar Niazi contradicted his first statement stating therein that he was misguided. I do not know if the first statement of Maulana Abdul Sattar Khan Niazi was published in every newspaper. Volunteers that only daily 'Jang' and 'Ummat' come into my house. I do not know if the daily 'Khabrain' had only published the second statement of Maulana Abdul Sattar Niazi, wherein the stand in the first statement was contradicted. I had read the second statement of Maulana Abdul Sattar Niazi either in 'Jang' or in 'Ummat'. I had read the statement of Yousaf, accused, in daily 'Jang' in which he had made the contradictory statement. It is correct that I had read the statement (Exh.DC) in the newspaper.

(At this stage, the witness is bound down for today)

R.O & A.C.
27-5-2000.

9/8/2000

(PW-7).

Mohammad Abubakar Ali.
(Recalled on oath.)

XXXXX

By Mr. Saleem Abdur Rehman,
learned counsel for accused.

I went for 'Umra' in November, 1994. I stated before police that I went for 'Umra' in November, 1994. Confronted with Exh.DH, where it is not so recorded. I came back after fifteen days. I had informed to Yousaf, accused that I alongwith my family is proceeding for 'Umra'. I did not take any permission from Yousaf, accused, to perform the 'Umra' I have stated earlier that when I asked for permission from Yousaf, accused, he stated that what is the need to perform 'Umra', whereas 'Umra' can be performed here and further stated that in 'Madina' there is 'Makan, while the 'Makeen' is here. I was surprised to hear these dialogues by the accused. In March or April, 1995 after performance of 'Umra' by me, Yousaf, accused, had said that he will arrange my meeting with the Holy Prophet (Peace Be Upon Him). Yousaf, accused, used to say that the Nazool of Holy Prophet (Peace Be Upon Him) is expected and that he can arrange a meeting with Holy Prophet (Peace Be Upon Him), on which I thought as to how it is possible, so I was much surprised. I could not understand as to how it could be possible. The claim of Yousaf, accused, to be the Holy Prophet (Peace Be Upon Him) looked to me as highly objectionable and bad. When Yousaf, accused, claimed himself to be the Holy Prophet (Peace Be Upon Him) I was much surprised and I was shivering and sweating. I had asked Yousaf, accused, about his claim because some time he posed himself to be 'Libaas' and some times to be 'Mushabba' and stated that his 'Nazool' as Holy Prophet is expected. Yousaf, accused, is too intelligent that he can over power any simple lay-man like me, as I have been looted by him.

On court question, the witness has stated that the criminal case against him was got registered by Munir Ansari, who is friend of Abdul Wahid and Abdul Wahid is 'Murid' of Yousaf, accused, and at the time of registration of the case, he was in America.

XXXXX

By the learned defence counsel.

It is correct that Munir Ansari was Director Operation in Farooq Textile Mills

when the case was registered against me. It is correct that I did not get any report recorded at the

Police Station prior to 20-4-1997. In each meeting Yousaf, accused, posed himself to be Rasool Allah. In each meeting, Yousaf, accused, was using such dialogues in his speech which were beyond the approach of a layman to understand and in those dialogues he used to pose himself as Holy Prophet (Peace Be Upon Him). On hearing the speeches of Yousaf, accused, and by his show I was much depressed and could not decide as to what should I do and what I should not do and in this way I was involved in mental struggle due to which out of fear I remained silent and followed Yousaf, accused, and whatsoever was the order of Yousaf, accused, I had been complying with the same. It is incorrect to suggest that Yousaf, accused, had not claimed himself as Holy Prophet (Peace Be Upon Him) for himself. Volunteers that Yousaf, accused, was claiming himself to be the Holy Prophet (Peace Be Upon Him). When Yousaf, accused, claimed himself to be the Prophet, he was claiming to be the Holy Prophet (Peace Be Upon Him) for himself. It is correct that Yousaf, accused, used to say that the 'Nazool' of the Holy Prophet (Peace Be Upon Him) is expected. I had met Ismail Shaujaabadi, the complainant of this case on 22-6-1997 when I was called by the police. If the complainant of this case had not got the case registered, I must have myself got the case registered. After attending the World Assembly of Yousaf, accused at Lahore on 28-2-1997 there was sufficient material with me on basis of which I could get the case registered. But I had not sufficient material prior to 28-2-1997. It is correct that I myself did not get the case registered or moved any application in between 28-2-1997 to 20-4-1997. I never stated before my daughter and son-in-law that if the accused is acquitted, he will again join with the accused. It is incorrect that I am still 'Murid' of Yousaf, accused. It is correct that I have disconnected the 'Bayat' with Yousaf, accused. After attending the World Assembly on 28-2-1997, I have no knowledge about 'Tasawwaf', 'Marifat' and 'Haqee-e-Quran'. It is incorrect to suggest that I have made the statement before the police against Yousaf, accused, as a consequence of conspiracy and also in the court on the same reason. It is correct that Yousaf, accused, called Abdul Wahid and Zaid Zaman as 'Sahab-e-Rasool' and not his 'Sahabi'. Rana Akram met me in the house of Abdul Wahid in 1995. I met Brig. Aslam in June, 1994. Now I have friendship with Rana Akram, PW. It is incorrect to suggest that I have appeared as witness because of my personal grudge.

R.O & A.C.
27-5-2000.

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PW-8

SAEED ZAFAR, F.C-10223,
Police Station Millat Park,
Lahore. on oath.

On 18-4-1997, I was attached with Police Station Millat Park, Lahore. I and Amanat Ali, F.C joined the investigation of this case. The prosecution witness Athar Iqbal son of Zafar Iqbal produced a Video Cassette (Exh.P-5) which was taken into possession vide recovery memo (Exh.PE) attested by me.

XXXXX

By Miss Rukhsana Lone,

learned defence counsel.

The Video Cassette was produced at about 10.00 a.m. Malik Khushi Mohammad, S.I, was the Investigating Officer of this case. The Video Cassette was not sealed in my presence. Athar Iqbal had produced only one Video Cassette

R.O & A.C.

02-6-2000.

PW-9.

MIAN GHAFAR AHMED,
S/O Mian Mohammad Saleem,
caste Arain, aged 39 years,
Resident Editor, daily Khabrain,
Multan, on oath.

I know Yousaf, accused, present in the court. At about 10 or 10.30 p.m. on 29-3-1997, Maulana Ismail Shujaabadi (PW) in my presence at P.S Millat Park produced one Video Cassette (p-2), one Audio Cassette (p-1) and twenty two pages of a Diary (P-3/1-22), which were taken into possession by Riaz Ahmed, S.I vide recovery memo Exh. PD, attested by me.

On 17-4-1997, I joined the investigation of this case with Khushi Mohammad, S.I/SHO of P.S Millat Park, Lahore.

I had collected sufficient material out of Takbeer Magazine against Yousaf, accused, who had claimed to be 'Anna Mohammad', which means that I am 'Mohammad' and I came to know out of Takbeer Magazine that Yousaf, accused, claims for himself as Prophet. Then I contacted Yousaf, accused, on telephone on 21-3-1997. He was present in Lahore while I was also present at Lahore as being Deputy Editor/Incharge Inspection Team. Then I met to Yousaf, accused, in his house situated 218-Q Block Defence, Lahore at about 2.00 p.m. on 22-3-1997. I

remained in the house of Yousaf, accused, for about one hour. Prior to this meeting I had seen the Video Cassette and I had also heard the Audio Cassette. I had also gone through the pages of the diary, as mentioned above. Yousaf, accused, stated during conversation that he has been awarded 'Khilafat-e-Uzma' from Allah Almighty. I asked for elaborating the word 'Khilafat-e-Uzma', on which he inquired my education level and I replied that I have obtained Master Degree Mass Communication, on which he stated that this is worldly education and I should inform about religious education, on which I told that I being a Muslim has read the Holy Quran. On which he explained the meaning of word 'Khilafat-e-Uzma'. He told that first of all the 'Khilafat-e-Uzma' was awarded to Holy Prophet Hazrat Adam Alahe-Salam, then it continued to all the Prophets, and it went to Holy Prophet (Peace Be Upon Him) and this sequence is in continuation, and now 'Khilafat-e-Uzma' is with me and awarded by Allah Almighty.

I had come to know about some ladies belonging to Lahore and Karachi to whom Yousaf, accused, has graded as 'Azdawaj-e-Mutahrrat'. So I inquired about it from Yousaf, accused, on which he opened drawer of his table and brought out a file, which he placed on the table. He stated that there are reports of Medical Officers from Karachi and Islamabad, according to which I am not sexual fit and stated that when he was awarded 'Khilafat-e-Uzma' the element of sex in him was finished and further told that when this power was finished, he was about forty one. He further told that this happened on 9th of Rabiul Awwal and told that his date of birth is also that of 9th of Rabiul Awwal and that on 9th of Rabiul Awwal he was awarded with 'Khilafat-e-Uzma'. I repeated my question with regard to 'Azdawaj-e-Mutaharrat' on which he brought a book out and placed on the table, the title of the Book was 'Mard-e-Kamal' I did not read this book and asked for direct answer of my question. he stated that he never met to such ladies belonging to Lahore and Karachi, however, those ladies might have met him and I do not negate them, therefore, they are correct in their own version and I am correct in my own version. I asked for some explanation in this regard. On which he stated that Allah Almighty appears in the world in the shape of such like noble person, and it is with the discretion of Allah Almighty that he comes in the world in the face of 'Datta Ganj Bakhsh' or 'Hazrat Moeen-ud-Din Chishti Ajmeri' or in the shape of Hazrat Baba Farid Shakar Ganj or in the shape of Holy Prophet (Peace Be Upon Him) or in the shape of myself. This conversation was in me and Yousaf, accused, present

in the court. I had been publishing this conversation in daily 'Khabrain' Lahore and I also told to the police in my statement.

XXXX

By Mr. Saleem Abdur Rehman,
the learned defence counsel.

I had reached at the Police Station at about 10.00 p.m., on the date, as mentioned above. I had telephoned in the office of 'Majlis-Khatam-Nabuwwat', on which I came to know that Maulana Ismail Shuja Abadi has gone to Police Station Millat Park, so I also went to the said Police Station. Prior to my arrival at the Police Station, the instant case was registered. I had already met Ismail Shuja Abadi (PW) prior to my arrival at the Police Station. I had met him many a times but I do not remember the time and date. I do not remember the date when for the first time I met to Ismail Shuja Abadi (PW), perhaps it was in the end of month of the March. Since the recovery proceedings had taken place in my presence, therefore, I signed the recovery memo. The police had sealed the parcel in my presence. The Video Cassette was of black colour, there was a Audio Cassette and there were twenty two pages of the diary. I do not remember if all these articles were placed in one parcel. I do not remember as to on how many pages I had signed at the Police Station. My memory is good. I fully remember the conversation in-between me and Yousaf, accused, which took place on 22-3-1997. The conversation in between me and Yousaf, accused, was in my memory prior to my arrival at Police Station. It was not a simple or a normal case and that there was a claim of being Holy Prophet on behalf of Yousaf, accused, therefore, I had been consulting this issue with the religious scholars, therefore, I had not stated about the conversation on the day of taking into possession Video Cassettes etc. I had seen the Video Cassette in my house and also in my office. I had also heard the Audio Cassette in my home and also in my Car. The Audio Cassette was heard by all in my office. When the Audio Cassette was heard in my office, the complainant of this case was not present. Besides the employees of my office, no one from the public was present when the Audio Cassette was heard. I am employee of daily 'Khabrain' since 1992. Daily 'Khabrain' was enjoying very good reputation when I joined it as employee. Similarly, Zia Shahid Chief Editor of Khabrain was enjoying very good reputation. It is incorrect to suggest that very Journalist wrote many things about bad reputation of Zia Shahid. I have read weekly Newspaper known as 'Post-mortem'. Volunteers that it relates to gutter

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claim of 'Khilafat-e-Uzma'. Yousaf, accused, had not negated that he does not claim to be the Holy Prophet, however, his discussion revolved around 'Khilafat-e-Uzma'. I do not know the details of different in-between 'Khilafat-e-Uzma' and the claim of 'Prophet'. Yousaf, accused, did not state before me that he is a Prophet. Since Yousaf, accused, had elaborated 'Khilafat-e-Uzma' in my presence, so it was published in daily 'Khabrain'. I had not stated in my statement before police recorded on 17-4-1997 with reference to any fact published by weekly Magazine 'Takbeer'. Volunteers that my short statement was recorded before the police. I stated before police that I contacted with Yousaf, accused, on 21-3-1997 and I met to him on 22-3-1997. Confronted with Exh. DI, where it is not so recorded. I do not remember if I told to the police that I had seen the Video Cassette and heard the Audio Cassette. I do not remember if I told to the police that I met to Yousaf, accused, in his house for about one hour. I do not remember if I told to the police that on question of 'Khilafat-e-Uzma' Yousaf, accused, asked about my education. It is correct that it was published in the newspaper that in accordance with the diary, consisting of 22 pages, Yousaf, accused, had claimed himself to be the 'Prophet'. I had heard that diary (Exh.P-8) has been written by Yousaf, accused. I am Resident Editor of daily 'Khabrain' since 12 June, 1997. It is correct that the Head Office of 'Almi Majlis Tahafaz Khatam-e-Nabuwwat' is situated in Multan. I never visited to the said office. If my visit to the office of 'Almi Majlis Tahafaz Khatam-e-Nabuwwat' is published in the newspaper of Multan, then it will be wrong. I had not gone to Yousaf, accused, at the instance of complainant. I had read the contradictory statement got published by Maulana Abdul Sattar Khan Niazi in many newspaper including 'Khabrain'. Volunteers that I had got explanation from Maulana Abdul Sattar Niazi and I had published the same in the newspaper. It is correct that the explanation was published in daily 'Khabrain'. Volunteers that since I had contacted with Maulana, so the explanation was published in daily 'Khabrain' only. It is incorrect to suggest that I had no contacted with Maulana Abdul Sattar Khan Niazi and I, at my own, published such explanation in the newspaper. I do not know if His Lordship Mr. Justice Khalid Paul Khwaja, passed an order to restrain me from starting any media trial against Yousaf, accused. It is correct that Yousaf, accused, so far has not been convicted in this case. It is correct that I till today write the word 'Kazaab' after the name 'Yousaf'. Kazaab means the person, who tells a lie. It is incorrect that Yousaf, accused, never told

a lie in my presence. Since I had meeting for one hour with Yousaf, accused, so I know that he was telling a lie. It is correct that on basis of it, I wrote the word 'Kazaab' after his name as 'Yousaf Kazaab'. I had not stated about of taking birth by Yousaf, accused on 9th Rabiul Awwal had not told to police that Yousaf, accused, stated as such that Allah comes in the world in the shape of 'Hazrat Datta Sahib', 'Hazrat Baba Farid Sahib' and the Holy Prophet (Peace Be Upon Him). Volunteers, however, I had published such facts in the newspaper spoken by the accused. It is incorrect to suggest that I have falsely deposed due to non-payment of black mailing of money of rupees three crores.

R.O & A.C.
03-6-2000.



PW-10.

WAQAR-UL-HAQ,
S.I, Urdu Stenographer,
Special Branch Punjab,
Lahore on oath.

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In the year 1997, Malik Riaz, S.I P.S of Millat Park came at my house situated in

Wahdat Colony, Lahore. He gave me two Audio Cassettes for dictating. I heard the Audio Cassette twice, thereafter, I took the rough notes and after preparing the clean print of the dictation, I handed over to Riaz, S.I.

XXXXX By the learned defence counsel.

The Audio Cassettes were sealed when I received. I had opened the sealed parcel in presence of Riaz. I do not remember if I returned the Audio Cassettes in sealed parcel or in the open form. He did not show me any order of the court for the purpose of dictation. Volunteers that it is part of my duty in the department. It is correct that there was no order for de-sealing.

At this stage, the learned DA has requested for re-examining of the witness as according to him some ambiguity has created in his statement.

His request is allowed.

Re-examination by the learned DA/

Riaz, S.I had asked me for the dictation of Video Cassette, which he brought alongwith him and I returned the Video Cassette to him with these remarks that I am only expert in the dictation of the Audio Cassette.

Handwritten signature and some scribbles at the bottom left corner.

XXXXX By the learned defence counsel.

Nil. (Opportunity given)

R.O & A.C.
03-6-2000.

PW-11. **MOHAMMAD SARWAR**
S/O of Mohammad Yousaf
aged 27 years, profession
Composing (Privately) R/O
House No.626 Street No.55
Kotwali Mohallah Sadar
Mazar Lahore Cantt. on
oath.



In April, 1997, some police officers came to me for composing for Audio and Video Cassettes, on which I composed the Audio and Video Cassettes.

XXXXX By the learned defence counsel.

I started the profession of composing in the year 1994. I am not employee of the Police Department. I had composed matter (metan) with hand. I had composed one Audio and two Video Cassettes. I had composed the work given by the Police Department for the first time. I do not remember the names of the Police Officers, who came for the said task. At about 4 or 5 p.m. one Police Officer came to me for composing. My statement before police was recorded on 22nd of June, 1997.

R.O & A.C.
07-6-2000.

PW-12. **SAJID MUNIR DAR** S/O Nazir Ahmed
Dar, caste Kashmiri, aged 42 years
Government employee R/O 43-C, Wahdat
Road, Lahore, on oath.

I know Yousaf, accused, present in the court. My friend Mohammad Sohail Zia got me introduced with Yousaf, accused. I had been meeting with Yousaf, accused, in mosque known as 'Baitul Raza' situated in Chowk Yateemkhana. In the month of December, 1995 after Juma prayer, I met Yousaf, accused, in the Hujra attached with the mosque. Yousaf, accused, said to me that if he arranges my meeting with Holy Prophet (Peace Be Upon Him) whether I would have value of the same or not, on which I replied in affirmative. He said that so long I have meeting with the Holy Prophet(Peace Be Upon Him) I would not die. Moreover, in case of meeting my all sins shall be forgiven and that I shall not enter in Hell and that I shall go in

Jannat. He asked me to hand over to him my golden chain and the ring, also made of gold, which I gave to Yousaf, accused. He invited me to come in his house on the next day i.e. in the house situated in Defence, Lahore. On the next day, I alongwith my friend Sohail Zia in the evening time went to the house of Yousaf, accused. Yousaf, accused, has established a special 'Hujra' in his house, where he took me alone, while many other persons were sitting in the main Drawing Room. While being in the 'Hujra, Yousaf, accused, said that I am lucky, who is going to meet with the Holy Prophet (Peace Be Upon Him) and thereafter he said that he is the 'Mohammad' (Peace Be Upon Him) and thereafter he embraced me. According to him 'Mohammad' means that he is the Holy Prophet (Peace Be Upon Him) and this claim was made by Yousaf, accused, present in the court. Later on I came to know that many such incidents have happened with other

people in Karachi, particularly with Rana Akram and others. My statement was recorded by the

XXXXX

By the learned defence counsel.

My statement before police was recorded on 14-4-1997. I had not signed my statement. I, at my own, went to the Police Station after my friend me that the criminal case has been registered against Yousaf, accused. I went at the Police Station at about 8 or 9 p.m. I visited the house of Yousaf, accused, in Defence 3 or 4 times. The number of the house was 218-Q. It was a big house. I do not remember the colour of the gate of the house when I visited. The exterior colour of the house was like that of brick. I have not gone Karachi alongwith Yousaf, accused. I never went to Karachi alongwith Yousaf, accused. I did not state before police that I visited to Karachi alongwith Yousaf, accused. Confronted with Exh.DJ, where it is so recorded. I had met the accused 6 or 7 times. I read in the newspaper about registration of the case, against Yousaf, accused. I read in the newspaper about registration of the case in March, 1997. When I went to Police Station, Sohail Zia was also with me. The father's name of Sohail Zia is 'Amin Zia'. I do not know the father's name of Rana Akram. Similarly, I do not know the father's name of Brig. Aslam and that I do not know the father's name of Arshad. Similarly, I do not know the father's name of Noman Elahi (PW). I do not know about the residences of the witnesses, as mentioned above. I do not provide the details about the prosecution witnesses, as mentioned above, in my statement recorded by the police. Confronted with Exh. DJ, where it is so recorded.

I cannot say if the particulars of the witnesses were recorded in my statement by the police officer himself. I know Rana Akram, PW. I do not know Noman Elahi, PW. I know Athar Iqbal, PW. Athar Iqbal and Sohail Zia were related inter-se. I know Athar Iqbal, P.W for the last 6 or 7 years. The name of house of accused is 'Jannat-e-Tayyaba'. I did not consider this name of the house as objectionable, when I visited there but now I feel that to some extent the name as 'Jannat-e-Tayyaba' is objectionable. I considered this name as 'Jannat-e-Tayyaba' as objectionable from Islamic point of view. Infact I did not feel the name as correct. I cannot tell the details of Islamic reasons for considering the name as objectionable. I performed prayer in mosque 'Baitul Raza' four or five times, in the year 1996 because I had met Yousaf, accused, in the end of 1995. I had stated before police that I was much impressed by the religious knowledge of Yousaf, accused. I do not remember the date when Yousaf, accused, claimed for himself to be 'Anna Mohammad' but it happened in the year 1996. It might have happened in the middle of 1996. When Yousaf, accused, claimed himself to be 'Anna Mohammad' I was really shocked and according to me it was a big 'Kufr'. I met lastly with Yousaf, accused, in April, 1996. The claim of Yousaf, accused, to be; 'Anna Mohammad' looked me against the 'aqeeda' of 'Khatam-e-Nabuwwat'. I myself did not get the case registered because I have not sufficient evidence in this regard. From sufficient evidence means the supporting evidence. I met Rana Akram, PW, for the first time in the house of Sohail Zia in March, 1997. Sohail Zia introduced Rana Akram to me. I met Brig. Aslam (PW) in the court and Sohail Zia introduced him. Again said Rana Akram told me about Brig. Aslam (PW). I have met Rana Akram many a times in Lahore. My residence is situated at Wahdat Road. Mosque 'Baitul Raza' might be at a distance of seven kilo meter from my house. It is correct that many mosques are situated in the way. When Yousaf, accused claimed for himself to be 'Anna Mohammad, I and he were alone. I cannot tell the name of any 'Murid' of Yousaf, accused, who was sitting in the main Drawing Room. It is incorrect to suggest that I have falsely deposed today. It is incorrect to suggest that I have never met with Yousaf, accused. It is incorrect to suggest that I have never met with Yousaf, accused, by seeing his picture in the newspaper. I have met Ismail Shuja Abadi. I met Ismail Shujaabadi in the office of Maj. Mubashar, S P on 24-4-1997. It is incorrect to suggest that I have appeared as witness in this case at the instance of Rana Akram, PW. I do not know if 2 or 3 years prior to the registration of this case or the occurrence, Yousaf,

accused, was delivering Jumma speech in mosque 'Baitul Raza'. I have friendship with Sohail Zia (PW) for the last 16 or 17 years.

R.O & A.C.
09-6-2000.

PW-13. **STATEMENT OF RIAZ AHMED,**
SI. CIA Sadar Division, Lahore, on oath.

On 29-3-1997 I was posted at P.S Millat Park, Lahore. At about 9.45 p.m., on the above date, application Exh.PC on behalf of Ismail Shujaabadi was received. Application Exh.PC alongwith the legal opinion of DSP (Legal) approved by the S.P (Exh.PF) was received, on basis of which I recorded formal FIR(Exh.PC/1). I recorded the formal FIR without any addition or omission on my part.

After registration of the case, Ismail Shujaabadi produced before me one Audio Cassette P-1 and one Video Cassette P-2 and 22 pages of diary (P-3/1-22), which I took into my possession in the presence of Maulana Zafarullah Shafique and Abdul Ghaffar vide recovery memo Exh.PD, prepared and signed by me. This memo was attested by Ismail Shujaabadi, Mian Abdul Ghaffar and Maulana Zafarullah Shafique. I recorded the supplementary statement of Ismail Shaujaabadi and further recorded the statements of the prosecution witnesses.

Then alongwith the complainant Ismail Shujaabadi, I went to the spot known as mosque 'Baitul Raza' situated in Chowk Yateemkhana. I inspected the spot and prepared rough sketch ExhPG. During spot inspection, four Pws namely Mumtaz Awan, Mian Mohammad Awais, Mohammad Afzal and Shaukat Ali appeared before me. I recorded their statements u/s 161 Cr.P.C. After hearing the Audio Cassette, I recorded the transcript of Audio Cassette (P-1) in the zimni dated 30-3-1997. I got the transcript prepared through Waqar, S.I of Special Branch. Then on 07-4-1997 the investigation was transferred from me to another officer. After conducting the investigation by myself, my opinion was that Yousaf, accused, had claimed himself to be the Holy Prophet (Peace Be Upon Him) and that he had termed his colleagues as 'Shahabi-Rasool'. I had to arrest him but I came to know that he was confined in Sub-Jail Chung. I wrote in the zimni that after obtaining the permission from the competent court, Yousaf, accused, shall be joined I the investigation.

XXXXX By the learned defence counsel.

Exh.PG has been prepared by me. I also prepared the rough sketch Exh.PG at the spot. No memo with regard to inspection of spot is prepared. Spot inspection notes Exh.DK has been prepared by me. There is no reference of the eye witnesses in document Exh.DK. Volunteers that there was no necessity to make any such reference in document Exh.DK and that I have shown their presence at Point 'B' in Exh.PG. Mark 'B' in Exh.PG is in my hand and it was not introduced later on. The writing in line 'B' is also in my hand. I did not meet the objections raised by the learned District Attorney and that the line Mark 'B' in Exh.PG was written by me. I did not conduct investigation in-between 31-3-1997 to 06-4-1997. Similarly, I did not record any zimni during this period. No one came before me during 31-3-1997 to 06-4-1997 in defence of Yousaf, accused, and that I did not record their statements. It is incorrect that on 03-4-1997 Yousaf, accused, presented before me the affidavit sworn by him. Volunteers that he was not arrested by me. I made no effort for arrest of the accused except that when I came to know that Yousaf, accused, is confined in Sub-Jail Chung, I wrote in Zimni that he could be arrested after getting permission from the competent court. I did not write any application for getting the permission from the competent court till 06-4-1997. I heard the Audio Cassette in presence of Waqar, S.I. The transcript was prepared by Waqar but I incorporated the transcript in Zimni myself. Waqar, S.I, being 'Urdu Stenographer' was an expert in this field. I did not provide the transcript and the Audio Cassette for computerising. I did not get prepared the transcript of Video Cassette. I had seen the Video Cassette of Yousaf Ali, accused. It is incorrect to suggest that Audio and Video Cassette and 22 pages of diary were not produced before me on 29-3-1997.

(PW is bound down for 11.00 a.m today)

R.O & A.C.
13-6-2000.

PW-13. Statement of Riaz Ahmed, S.I
(Recalled on oath)

XXXXX By the learned defence counsel.

I have conducted investigation in numerous cases. The object of investigation is to

collect the material and to produce the same before the court. The evidence, if produced in

defence, is also produced in the court. It is correct that I have mentioned the date of speech as 28-2-1996 in Exh.PG. Volunteers that the exact date is 28-2-1997 and it was written by me inadvertently. It is correct that I have written the word 'Kazaab' against the name of Yousaf accused. 'Kazaab' means the liar. From the contents of the FIR, it travelled to my mind that Yousaf accused is liar, so I wrote the word 'Kazaab' against his name as 'Yousaf Kazab'. I had prepared the rough sketch Exh.PG prior to recording the statements of the prosecution witnesses. When I went to mosque 'Baitul Raza' Yousaf Raza, the 'Jannasheen' of the mosque was not present there. It is incorrect to suggest that Yousaf Raza was present there and he spoke in defence of Yousaf, accused. Complainant of this case did not come to me at the P.S prior to recording of formal FIR. When I was recording the formal FIR, the complainant alongwith the witnesses came at the Police Station while I had received the complaint Exh.PC through post. The complainant of this case was pursuing the case, therefore, it was in his knowledge that formal FIR is being recorded. Abdul Ghaffar and Maulana Zafarullah Shafique came alongwith the complainant at the Police Station. I am hard of hearing. It is incorrect that the person of hard hearing can mistake any fact. Volunteers that such person can verify the fact. I had heard the Audio Cassette. I got the transcript prepared through Waqar, S.I. Since the Audio Cassette was produced before me by the complainant with this version that it contains the voice of Yousaf, accused, so it was in my knowledge that the Audio Cassette had contained the voice of Yousaf, accused. Yousaf, accused, in the Audio Cassette started his speech as under:-

”کائنات کے سوا اور ہے خوش نصیب آج یہاں پر نور کی
کرنیں چمکا اور کر لی ہیں یہاں اس حافل میں کم از کم ۱۰۰
صحابی موجود ہیں صحابی وہی یونہی سے ناں جس نے اپنی
زندگی میں حق علیہ السلام کو دیکھا
ایمان لایا اور اسی حافل میں رسول
موجود ہیں۔ یہ ناں جو در ان اقریر جو سنف علی
سلام نے ۱۲ اشخاص کو یہ کہہ کر جس کے تعارف
قد پر جان ۱۰۱ عبد الوہاب ۱۰۱ اے ان کو بطور صحابی پیش کیا
گو یا مذہم جو سنف کے اقریر الیہ حضور میں یونہی تھی نہ نا خود ہوا

کہ شخص ایک آپ کو رسول پاک سے تشبیہ و تمثیل
 اور دشمنوں کو بطور مخالفین پیش کر رہا ہے۔

XXXXX By the learned defence counsel.

I do not know if Yousaf, accused, recited many verses of Holy Quran prior to his speech because I heard the Audio Cassette from the sentence, as mentioned above, in 'Urdu'. It is correct that during the speech Yousaf, accused, had recited many verses of the Holy Quran. It is correct that whenever the name of Holy Prophet(Peace Be Upon Him) came in the speech, at every such moment, Peace Be Upon Him, was said. I do not remember the entire speech of Yousaf, accused, recorded in the Audio Cassette. I do not know if one side of the Audio Cassette came to end, the last sentence or sentences at the end of the one side were repeated in the start of the second side. I had placed in the file of the case the 22 pages of the diary, as mentioned above. I had not sealed the Audi and the Video Cassette. According to my assessment, the Audio and the Video Cassettes are case property of this case. So long the investigation remained with me, I had not sealed the Audio and Video Cassettes. It is incorrect to suggest that the voices are different in both sides of the Audio Cassette. I reached to the mosque 'Baitul Raza' at about 10.45 p.m. I recorded the statements of the prosecution witnesses at about 11.5 p.m. at the spot. I do not remember as to whose statement was first recorded at the spot. We proceeded back towards Police Station at about 11.40 p.m. I was handed over the pages of the diary as written by Yousaf, accused. Since the investigation was transferred, so I could not verify. I and Waqar, S.I had seen the Video Cassette. I had seen the Video Cassette only once. I had seen the Video Cassette on the same day after hearing the Audio Cassette. I was free at about 11.55 p.m. after hearing the Video Cassette. At this time, we had closed the writing of the transcript. I do not remember the exact time consumed in seeing the Video Cassette. Anyhow, it was beyond ten minutes. But I cannot say it was less than one hour. I did not mention about seeing the Video Cassette in any zimni. Besides Ismail Shujaabadi, no one else submitted any complaint against Yousaf, accused, before me. Since I had not arrested Yousaf, accused, so I could not recover anything from him. Exh;PD was written and signed by me. It is correct that I have added the word

'Kazaab' against Yousaf, accused, in this document. It is correct that whosoever delivered the

speech as recorded in the Audio Cassette, he did not use the word 'My Sahabi'. It is correct that the word has been written twice in memo Exh.PB. Whatsoever was stated before me by a witness, I correctly recorded the same and no witness declared that the facts of the case are in the knowledge of another witness. I had not gone to Karachi in connection with investigation of this case. I did not feel the case as complicated one. It is incorrect to suggest that since this case was complicated one and I was incompetent, so the investigation was transferred. Volunteers that I handed over the investigation to the SHO in compliance with order passed by the Senior Officers. I correctly recorded the statements of each witness. It is correct that I did not direct any witness to make a short statement.

R.O & A.C.
13-6-2000.



PW-14,

STATEMENT OF KHUSHI MOHAMMAD, S.I,
Police Lines, Qilla Gujjar Singh, Lahore, on oath.

On 05-4-1997 I was posted at P.S Millat Park, Lahore. On 07-4-1997 the investigation of the case bearing FIR No.70 registered against Yousaf Ali, accused, was entrusted to me on the direction of Senior Police Officers. On 09-4-1997 Mohammad Nawaz, S.I produced Yousaf Ali, accused, before me. Yousaf Ali, accused, was joined the investigation of this case. Yousaf Ali, accused, refused to make statement. Yousaf Ali, accused, requested for his safety because he feels danger to his life. So Yousaf Ali, accused, was confined at P.S Muslim Town for safety of the accused. Yousaf Ali, accused, was provided all necessity of life. I inspected the file as a consequence of which I studied the transcript of the Audio Cassette and Video Cassette. On 10-4-1997, Yousaf, accused, was joined the investigation of the case. Yousaf, accused, got the statement recorded. After recording the statement of the accused, after hearing the Audio Cassette and after seeing the Video Cassette, sufficient material has come on the record, so Yousaf Ali, accused was arrested in this case. Physical remand was obtained and Yousaf, accused, was confined in lock up at P.S Muslim Town.

On 14-9-1997, I was present at Police Station Muslim Town, Lahore in connection with investigation of this case. I recorded the statements of Sajid Munir Dar and Sohail Ahmed.

سیشن جج لاہور

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the prosecution witnesses. On 16-4-1997, I received Magazine known as 'Takbeer' No.13 P9/I-52 vide letter No.1694 DSP LEGAL DATED 14-4-97 Exh. PH, which I attached with the file of the case. On 17-4-97 I recorded the statement of Mr. Abdul Ghaffar, Deputy Editor, Daily 'Khabrain' Multan, when he appeared before me at P.S Millat Park, Lahore. When I recorded the statement of Abdul Ghaffar, PW, he was posted at Lahore. Abdul Ghaffar joined the investigation of this case. On 18-4-1997, Athar Iqbal, PW, appeared before me and he produced Video Cassette P-5 which I took into my possession vide Exh. PE, which was attested by Athar PW and other. I recorded the statements of Saeed Zafar and Amanat Ali, Constables. I also recorded the statement of Athar Iqbal. I recorded the transcript of both Videos, as mentioned above, in the Zimni. Then I got translated Audio and Video Cassette above from Mohammad Sarwar, PW through computer, which were attached with the file as P10/I-10, P11/I-10 and P12/I-10.

At this stage, the learned defence counsel has raised the objections as follows:-

- i) that since the Audio/Video Cassettes, which are the basic source of these transcripts are inadmissible, therefore, the transcripts are also inadmissible in evidence,
- ii) That the maker of these transcripts was not confronted whether if it is the same transcripts, hence, it is inadmissible and therefore, cannot be tendered in evidence. This objection could be examined at the stage of final arguments. The statement is continued.

Then on 19-4-1997, I got permission from S.S.P, Lahore for proceeding to Karachi. The application Exh. PI is written and signed by me. I reached Karachi through Flight by night. After reaching at Karachi, I recorded the statements of Rana Mohammad Akram, Brig. Mohammad Aslam, Atif Siddiqui, Mohammad Yousaf, Arshad, Nauman and Mohammad Ali Abubakar, then he came back to Lahore.

While being present in Karachi, I had also recorded the statements of Mohammad Hanif Tayyab, Mohammad Hussain Lakhani and one other person also whose name I do not remember at present. I had contacted with Tahir, Editor weekly magazine 'Takbeer' but he refused to make statement and informed that he will not hand over the original diary and that

whatsoever is written by him in the magazine be treated as his statement. I received magazine P13/1-52 and attached it with the file.

On 23-4-97 the Audio Cassette was got heard to Yousaf Ali, accused and he admitted his voice in the Audio Cassette. He was asked to get his voice recorded for comparison but he refused to get his voice recorded. On 24-4-97 S.P Sadar asked to produce the prosecution witnesses, Audio and Video Cassettes and accused and also alongwith the file. On the above date S.P Sadar interrogated the prosecution witnesses and Yousaf Ali, accused, but Yousaf Ali accused did not get his statement recorded. He also heard the Audio Cassette and saw the Video Cassette. Then S.P Sadar directed me to submit the challan, on which I submitted the challan for trial of the accused.

(PW is bound down for the next date)

R.O & A.C.
156.2000.

PW-14.,

KHUSHI MOHAMMAD, SI
(Recalled on oath.)

XXXXX By the learned Defence Counsel.

It is correct that there is a religious dispute in this case. Volunteers that this dispute is relating to the claim of being the Holy Prophet (Peace Be Upon Him). I am Matriculate but I have less religious education. There are 17 Rakaat in 'Isha Prayer'. I can recite two Kalmas out of six.

On 08-4-1997, the first Investigating Officer told me that Yousaf, accused, has been confined, under Maintenance Public Order, so I could not arrest him on 08-4-1997. It was brought to my knowledge that Yousaf, accused, was confined in Sub-jail Chung. I did nothing on 08-4-1997 in connection with the investigation of this case. It is incorrect to suggest that on 08-4-1997 the Detention Order was recalled. Volunteers that it was recalled on 09-4-1997. I came to know through Senior Officers that Yousaf, accused, is being released on 09-4-1997. It is incorrect that Yousaf, accused, was released on 08-4-1997. Yousaf, accused, was produced before me on 09-4-1997. I was posted as SHO P.S Millat Park on 05-4-1997. When I was posted at P.S Millat

Park, ?Riaz Ahmed, S.I was my subordinate. It is correct that I had undergone the zimmies recorded by Riaz Ahmed, S.I. I do not know if Waqar Ahmed, S.I of Special Branch was present when Riaz Ahmed, S.I got the transcript prepared. Riaz Ahmed, S.I conducted investigation into this case to the extent of recording the FIR, recording of the statements u/s 161, spot inspection, took into possession Audio and Video Cassettes, prepared the recovery memos but he could not arrest the accused because the accused was confined under the Public Maintenance Ordinance. Yousaf, accused, was produced before me in the evening on 09-4-1997 by Akbar Nawaz, S.I. I obtained physical remand of Yousaf, accused, on 10-4-1997. I have gone through the Criminal Procedure Code. I arrested Yousaf, accused, on 10-4-1997 in accordance with the law. I appeared before His Lordship Mr. Justice Khalid Paul Khwaja in Hon'ble Lahore High Court, Lahore but I do not remember the date. I appeared at about 9.15 a.m. I do not know if His Lordship restrained daily 'Khabrain' for media trial of Yousaf, accused. I recorded the statement of Yousaf, accused, on 10-4-1997. I do not remember if Yousaf, accused, explained in his statement that as to why he has selected the name of 'Jannat-e-Tayyaba' for his house. After examining the zimni, the witness states that accused had stated that he selected the name of 'Jannat-e-Tayyaba' for his house because 'Jannat' is name of his mother and 'Tayyaba' is name of his wife. He had also stated that 22 pages of the diary (Exh.P-3/1-22) were not written by me. When Yousaf, accused, was questioned by me about his claim of being the Prophet, he replied that he does not remember and stated that he might have stated so as being emotional. (Jazbo Masti). It is incorrect to suggest that Yousaf, accused, stated before me or before the previous Investigating Officer that he has no claim of being the Holy Prophet. It is correct that Yousaf, accused, also stated that he cannot think of being Prophet and that he considers himself even below the shoes of Holy Prophet (Peace Be Upon Him) and the claim of any person to be the Prophet is false and the person so claiming is 'Mardood'. He also stated that who denies the status of Holy Prophet (Peace Be Upon Him) is 'Kafir' in his view. When Yousaf, accused, was being interrogated, I and my Constables were present in the room. I had informed about the statement of Yousaf, accused, to S.P (Sadar) but I do not remember the date. I had also interrogated Yousaf, accused, on 11-4-1997. It is incorrect to suggest that the arrest of Yousaf, accused, on 10-4-1997 in this case despite his statement was without justification. On 11-4-1997,

Yousaf, accused, had corroborated his previous statement and he added that he is patient of Dystonia of lips and hands . (Joroon-ka-dard), and that the diary, as mentioned above, was not written by him but I received as of gift from any 'Murid' and that he shall produce after its search.

(PW is bound down for the next date)

R.O & A.C.
20-6-2000.

PW-14. KHUSHI MOHAMMAD, SI.
(Recalled on oath)

XXXXX

By the learned defence counsel.

Now a days, I am posted in Police Lines. It is correct that earlier I was posted in P.S Manga. It is incorrect that some inquiries are pending against me. It is incorrect that one and a half years earlier, an inquiry was pending against me. It is incorrect that for hearing the proceedings of the case pending before His Lordship Mr. Justice Khalid Paul Khwaja, Hon'ble Judge of Lahore High Court, Rana Akram (PW) was present there. I did not see Brig. Aslam (PW) while hearing the proceedings in the above mentioned court. It is in my knowledge that to tell a lie before the court is a crime. I had heard the Audio Cassette in presence of other employees on 10-4-1997. It is was in my knowledge that the voice in the Audio Cassette was that of Yousaf, accused. I had heard the Audio Cassette in presence of Yousaf, accused. Since I had heard the Audio Cassette myself, so it was in my knowledge that the voiced was that of Yousaf, accused. There was no need to tell me that the voice is that of Yousaf, accused. Prior to 10-4-1997 I had read the transcript of the Audio Cassette. I did not hear any Khutba or speech delivered by Yousaf, accused, prior to 10-4-1997. In statement dated 10-4-1997, the accused had some thing objectionable. Volunteers that the accused had admitted to have made statement objectionable in the mosque 'Baitul Raza'. I found sufficient material out of evidence on the file for arrest of the accused. I arrested Yousaf, accused, after recording his statement on 10-4-1997. Later on whenever Yousaf, accused, was interrogated, some times he supported his previous statement and some times he negated the same. Yousaf, accused, did not state on 11-4-1997 that 'Munkir' of Nabi is 'Kafir'. After refreshing his memory, the witness states as under:-

It is correct that Yousaf, accused, stated that he has not defiled the Holy Prophet (Peace Be Upon Him) or the 'Sahabi' in his any speech. Volunteers that Yousaf, accused, made this statement in his defence whereas such material is available in the Audio and the Video Cassettes. It is correct that Yousaf accused, also stated that he never resembled himself with Holy Prophet (Peace Be Upon Him) but this statement was also made in defence. Yousaf, accused, did not state before me on 11-4-1997 that he did not read the diary (Exh.P-3/1-11). It is correct that Yousaf, accused, stated on 12-4-1997 that he considers himself less than the dust of the shoes of the Holy Prophet (Peace Be Upon Him) but he also stated that he has the opportunity of 'Didar' of Holy Prophet (Peace Be Upon Him). I do not know if the Investigating Officer prior to me got published only evidence/statement collected in daily 'Khabrain'. I have the Mobile Telephone with me today. I went to Karachi by P.I.A Flight at 1.00 a.m on 20-4-1997. I purchased the ticket myself. It was just for one side and while coming back to Lahore I purchased the ticket myself. An amount of Rs.4,800/- was spent on purchase of tickets. On 20-4-1997 my salary was Rs.5,000/-per month. I recorded the statement of Mian Abdul Ghaffar of 'Khabrain' on 17-4-1997. It is correct that on 29-3-1997 Mian Abdul Ghaffar had made statement before the earlier Investigating Officer. It is correct that Sajid Munir Dar told me the particulars of the witnesses belonging to Karachi. Volunteers that Sohail also told me the particulars of the witnesses. I recorded the statement of Sajid Munir Dar on 14-4-1997. Sajid Munir Dar had stated before me that they had been going to Karachi alongwith Yousaf, accused. It is correct that whatever PW had given a statement u/s 161 Cr.P.C I had recorded the same without any omissions or additions. It is correct that considering the statement of Sajid Munir Dar as true I went to Karachi to record the statement of Pws under Section 161 Cr.P.C. Volunteers that Sohail Zia, PW, had also given me the names and addressed of Pws in Karachi. I reached Karachi on 20-4-1997 at 3.3.0 a.m. It is incorrect that Rana Akram (PW) came to receive me at the Airport. I went alone to Karachi. I reached at the house of Rana Akram (PW) at about 4.45/5.00 p.m. I did not go to the house of Rana Akram straight but I first went to the house of my friend, who is owner of a Truck-stand. I cannot tell the distance in between the Airport and the Truck Stand. I went to Truck-stand in a Rikshaw, and from the Truck-stand I contacted with Rana Arkam (PW) on telephone. I had collected the telephone number of Rana Akram (PW) from Sohail Zia at Lahore. I do not know if

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Rana Akram (PW) has residence at Lahore. I met to Rana Akram alone when I reached at his house. It is correct that I recorded the statements of the witnesses at the house of Rana Akram (PW). The witnesses might have contacted with Rana Akram or the witnesses might have read of my availability at Karachi in newspaper. I did not read any such newspaper in which my arrival at Karachi was published. I had attended the court of His Lordship Mr. Justice Ihsan-ul-Haq Chaudhary, Hon'ble Judge of Lahore High Court only in connection with bail petition and I did not see Rana Akram (PW) there. I did not meet with Brig. Aslam (PW) or Rana Akram (PW) during the court proceedings. I recorded the statements of seven witnesses at Karachi namely Rana Mohammad Akram, Brig., Mohammad Aslam, Mohammad Ali Abubakar, Mohammed Yousaf, Noman and Arshad. I completed their statements at about 11.55 p.m. (night) I did not mention about my travel to Karachi in my correspondence with my Senior Officers. I was directed by the Senior Officers to go to Karachi immediately. It is incorrect that before proceeding the statement of Rana Akram (PW) at Karachi I had already met him many a times at Lahore. It is further incorrect that I had already met Brig. Aslam (PW) at Karachi many a times prior to recording his statement at Karachi. It is incorrect that on transfer of the investigation to me Rana Akram (PW) immediately came to me at Police Station. It is incorrect that he provided the addresses of the witnesses at Karachi. I proceeded from Karachi at about 12 O'Clock at night. I did not take meal in the house of Rana Akram (PW). It is correct that all the witnesses at Karachi stated about one 'Abdul Wahid' in their statements. After refreshing his memory from the police file with permission of the court, he states that all the witnesses met Yousaf, accused, in the house of Abdul Wahid.

XXXXX By the learned defence counsel.

In my view, Abdul Wahid is not an essential witness in this case. He could also appear before me as witness as others had appeared. It is correct that I made no effort to have a contact with Abdul Wahid. It is incorrect that investigation conducted by me was false. Volunteers that I had given the opportunity to appear before me. The way I adopted was that I directed both the parties to produce the witnesses before me. I had directed the accused already to produce his witnesses but I did not mention this fact in the zimni. No one submitted any application against the accused before me. Tahir had sent the Magazine 'Takbeer' through one

person. I do not know the name of that person. I did not record the statement of that person nor I mentioned his name in zimni. I do not remember if there was holiday on 20-4-1997. I saw the Video Cassette in presence of other police employees. Even I saw the Video Cassette produced by Athar Iqbal in presence of other police employees. I do not know if there is any Section in our Police Department which prepares or computerises the transcripts of Audio or Video Cassettes. Waqar, S/I is posted in Special Branch, Lahore. Waqar, S/I in the Special Branch is assigned the job of 'Urdu' translation, because he is expert in 'Urdu' Short-hand and 'Urdu' Typing. Riaz, S.I had got prepared the transcript of only Audio Cassette. I do not know if same was prepared on the computer. Volunteers that I had got prepared and computerised the Audio and Video Cassettes from Mohammad Sarwar, a private person (PW). Waqar, S/I had only prepared the "Urdu" translation after hearing the Audio Cassette. Urdu language is used in the Audio Cassette. I called Yousaf Raza, Sajadda Nasheen of mosque 'Baitul Raza' through Asad Amin, ASI, but Yousaf Raza concealed himself. I tried to have a contact with Yousaf Raza many a times as being SHO of Police Station but Yousaf Raza was not available. I mentioned only once about non-availability of Yousaf Raza when called him through Asad Amin, ASI, but did not mention at any time that Yousaf Raza was not available. I do not know if Yousaf Raza was available in the mosque on 29-3-1997, when the spot was visited by Riaz, S.I. Audio and the Video Cassettes are the case property of this case. Audio and the Video Cassettes were sealed after seeing by S.P on 24-4-1997. Prior to it, the Cassettes remained with Moharrar of the Police Station. Since the case property in this case was Audio and Video Cassettes, so it was to be seen by different officers at different times and because of this situation, it was not essential to seal the same immediately as it is required in case of heroin. I do not remember if the Audio and Video Cassettes were sealed after an objection raised by the office of District Attorney on 22-6-1997. It is correct that report u/s 173 of Cr.P.C was prepared first on 06-5-1997. The office of the District Attorney raised about thirteen objections on 22-6-1997. It is correct that I recorded the statements of four witnesses on 22-6-1997, and out of them Mohammad Sarwar and Waqar, S.I were also the witnesses. It is incorrect to suggest that I have conducted partial investigation and that I have falsely deposed. It is incorrect to suggest that I conducted unfair investigation at the instance of

میں نے اس شخص کو نہیں دیکھا
میں نے اس شخص کو نہیں سنا
میں نے اس شخص کو نہیں جانا

Rana Akram and Brig. Aslam (Pws). It is incorrect to suggest that I made no effort to collect the defence evidence.

R.O & A.C.
22-6-2000.

11. After producing 14 prosecution witnesses, the learned District Attorney gave up the remaining prosecution witnesses and closed the prosecution case.

12. Then the statement of Mohammad Yousaf Ali, accused, under Section 342 Cr.P.C was recorded, which means that in his statement all incriminating circumstances against him are put to him in the statement. Anyhow, for the facility of a stranger, Section 342 Cr.P.C is reproduced as under:

Section 342 Cr.P.C. (Power to examine the accused)

0"1) For the purpose of enabling the accused to explain any circumstances appearing in the evidence against him, the court may, at any state of any inquiry or trial without previously warning the accused, put such questions to him as the Court considers necessary, and shall, for the purpose aforesaid, question him generally on the case after the witnesses for the prosecution have been examined and before he is called on for his defence.

2) The accused shall not render himself liable to punishment by refusing to answer such questions, or by giving false answers to them; but the Court (...) may draw such inference from such refusal or answers as it thinks just.

3) The answers given by the accused may be taken into consideration in such inquiry or trial, and put in evidence for or against him in any other inquiry into, or trial for, any other offence which such answers may tend to show he has committed.

4) Except as provided by Subsection (2) of Section 340, no oath shall be administered to the accused.)"

Statement of accused under Section 342 Cr.P.C, in verbatim is as under:-

STATEMENT OF MOHAMMAD YOUSAF ALI,
R/O Wazir Ali, caste Rajput, resident of Kothi No.218-
Q, Defence Society, Lahore, under Section 342 Cr.P.C



سینٹر
سیشن جج لاہور

9/8/2000

Q-1. Have you heard and understood the prosecution evidence examined in your presence and in presence of your counsels?

Ans. Yes.

Q-2. Is it correct that Abdul Wahid resident of House No.3-D, Sector-9, Clifton, Karachi is your 'Murid'?

Ans. Abdul Wahid 'Murid' of Allah but he is my friend.

Q-3. Is it correct that Dr.Mohammad Aslam Malik (PW) was friend of aforesaid Abdul Wahid?

Ans. Dr.Mohammad Aslam Malik was simply known to said Abdul Wahid.

Q-4. Is it correct that in the year 1988 Abdul Wahid told Dr.Mohammad Aslam that a religious person is coming in his house, who will speak about the religion?

Ans. I do not know.

The remaining statement shall be recorded on the next date.

Sd/-

Sessions Judge,
Lahore.

R.O & A.C.
12-7-2000.

It is certified that the above statement of the accused has been recorded in my presence and hearing and that it contains a full and true account of the statement made by him.

12-7-2000.

13-7-2000. **STATEMENT OF MOHAMMAD YOUSAF ALI,**
S/O Wazir Ali, caste Rajput r/o Kothi No.218-Q,
Defence Society, Lahore u/s 342 Cr.P.C

Q-5. Is it correct that thereafter you made a commentary of 'Surat-e-Ikhlhas' after Maghrib prayer in presence of Dr.Mohammad Aslam (PW) and others?

Ans. I do not remember.

Q-6. Is it correct that after 4/5 months of the aforesaid meeting, you came again in the house of Abdul Wahid and also summoned Dr.Mohammad Aslam (PW) and you threw light on different aspects of the Holy Prophet (Peace Be Upon Him)?

Ans. I used to give sermons on the aspect of the life of our Holy Prophet (Peace Be Upon Him) and also used to give sermons on the Holy Quran as well in the house of Abdul Wahid.

Q-7. Is it correct that Dr.Mohammad Aslam (PW) had been meeting you time and again in the house of aforesaid Abdul Wahid?

Ans. It is correct.

Q-8. Is it correct that in the year 1995 you met Dr.Mohammad Aslam in the house of Abdul wahid after Maghrib prayer where you said that as to what sacrifice Dr.Mohammad Aslam (PW) can given in lieu of reality disclosed by you to the said witness?

Ans. It is absolutely incorrect.

Q-9. Is it correct that you asked Dr.Mohammad Aslam (PW) to pay an amount of rupees two lacs and in return Dr.Mohammad Aslam (PW) refused?

Ans. It is incorrect.

Q-10. Is it correct that thereafter in the year 1995 you again demanded from Dr.Mohammad Aslam (PW) aforesaid amount when he was in the house of Abdul Wahid and in return Dr.M Mohammad Aslam (PW) promised to make the payment?

Ans. It is absolutely incorrect.

Q-11. Is it correct that in the month of December, 1995 you visited the house of Abdul wahid , to whom Dr.Mohammad Aslam (PW) informed to have made arrangements for rupees two lacs, on which you went to the house of Dr.Mohammad Aslam (PW) on the next day where Dr.Mohammad Aslam (PW) paid the amount of rupees two lacs to you?

Ans. It is a cooked-up story and absolutely incorrect.

Q-12 Is it correct that thereafter on the next Friday you alongwith your 'Murids' attended the Jumma prayer in the mosque, where Dr.Mohammad Aslam (PW) used to offer prayer, which is situated within the Askari Apartment Karachi where Dr.Mohammad Aslam (PW) used to reside?

سیشن جج لاہور

Ans.

Few times I did offer Jumma Prayers in mosque, as mentioned above, but I do not remember the particular time and date.

Q-13.

Is it correct that after Jumma Prayer on the same day, you came to the house of Dr. Mohammad Aslam (PW) alongwith your companions and after a while sitting on Sofa you said to the said PW with regard to disclosing of the reality and soon after you stood up and said 'Anna Mohammad'?

Ans.

This piece of evidence brought on record by the prosecution is 'Thomat' and 'Bhotan' against me, against which I protest as being a Muslim. Therefore, it is absolutely incorrect.

Q-14.

Is it correct that when such assertion made by you to Dr Mohammad Aslam (PW) he was surprised when your companions put garlands in the neck of PW in order to congratulate him for meeting with Holy Prophet (Peace Be Upon Him). 'Naoozubillah' and thereafter you left the said house?

Ans.

It is absolutely incorrect.

Q-15.

Is it correct that after a couple of months, Commodore ® Yousaf Siddiqui put question to you in presence of Dr. Mohammad Aslam that from Hazrat Adam Alhe-Salam and thereafter appearing of the Prophets in different times and also appeared fourteen hundred years back, so what is the different indignity of fourteen hundred years back and now and which were more dignified or glorified, whereupon you replied that fourteen hundred years back period was glorious but the glory is unprecedented and also you said that at that time it was duty but now it is on beauty?

Ans.

It is absolutely incorrect.

Q-16.

Is it correct that you by claiming for yourself to be Mohammad (Peace Be Upon Him) defiled the name of Holy Prophet (Peace Be Upon Him)?

Ans.

It is absolutely incorrect, infact it seek protection in the Name of Allah Almighty and Holy Prophet (Peace Be Upon Him).

سیدنا محمد
صلی اللہ علیہ وسلم
سیدنا جبریل علیہ السلام

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Q-17. Is it correct that you met Rana Mohammad Akram (PW) in the house of Abdul wahid in the year 1994 and you delivered a speech that the Holy Prophet (Peace Be Upon Him) is present in the world, even today in the form of human being?

Ans. It is absolutely incorrect. Infact Rana Mohammad Akram (PW) was never allowed or invited to attend my meeting in the house of Abdul Wahid.

Q-18. Is it correct that you were claiming yourself to be Mohammad (Peace Be Upon Him), to which you were questioned that the life of Holy Prophet (Peace Be Upon Him) was simple, on which you told that fourteen hundred years back the traditions were old and now the traditions were modern and that glamour, pomp and show is the need of the day and this utterance was made by you in the month of January or February, 1994 in the house of Abdul Wahid?

Ans. It is absolutely incorrect. I am astonished that no one can even think or talk like this.

Q-19. Is it correct that you also said that if some one can see and if some one can identify Holy Prophet (Peace Be Upon Him) he was amongst us?

Ans. It is incorrect.

Q-20. Is it correct that in the month of September, 1995, Mohammad Akram Rana (PW) asked you as to whether you are writing 'Tafseer' or 'Tatheem' of Holy Quran and requested you to provide him a copy of it, whereupon you asked the PW as to what price he could pay for that?

Ans. It is absolutely incorrect and infact it is a cooked-up story.

Q-21. Is it correct that you demanded an amount of rupees one lac from Mohammad Akram Rana (PW) for that 'Tafseer'?

Ans. It is absolutely incorrect.

Q-22. Is it correct that you sent the message to Rana Mohammad m (PW) for payment of the same?

Ans. It is absolutely incorrect.

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Q-23. Is it correct that you in presence of your companions, shortened the amount of rupees one lac to fifty thousand when you were going to Islamabad in the way to Lahore Airport?

Ans. It is absolutely incorrect.

Q-24. Is it correct that Rana Mohammad Akram (PW) was proceeding to Haj in the year 1996 and you were paid rupees twenty five thousand on your demand?

Ans. It is absolutely incorrect.

Q-25. Is it correct that after receipt of Rs.25,000/-rupees twenty five thousand) from Rana Mohammad Akram (PW), you said to him that the PW (Rana Mohammad Akram) had come very close to Allah Almighty and you could disclose the reality to him and the PW was taken to another room in the house of Abdul Wahid at Clifton, Karachi and you asked Rana Mohammad Akram(PW) to close his eyes and recite 'Darood Sharif'?

Ans. It is absolutely incorrect.

Q-26. Is it correct that Rana Mohammad Akram (PW)-recited 'Darood Sharif' and then you asked him to open his eyes and asked that as to whether he had seen anything, to which he (PW) said that he saw nothing?

Ans. It is absolutely incorrect.

Q-27. Is it correct that thereafter you embraced Rana Mohammad Akram (PW) and claimed that you are Mohammad Mustafa (Peace Be Upon Him) and you required the PW to conceal this reality and he concealed as such as that was said to be 'Tafseer-e-Quran', 'Tafheem-e-Quran', 'Noorul Quran' and 'Zinda Quran'?

Ans. It is incorrect.

Q-28. Is it correct that on 28-2-1997 Hafiz Mohammad Muntaz Awan and Mian Mohammad Awam (Pws) went to mosque 'Baitul Raza' situated at Chowk Yateemkhana, Lahore to offer Jumma prayer and there you defiled the name of Holy Prophet (Peace Be Upon Him) and you declared hundred of the persons, present in the mosque, as 'Sahaba' and introduced yourself as the Holy Prophet (Peace Be Upon Him)?

Ans. It is incorrect. I cannot even imagine of defiling the sacred name of our Holy Prophet (Peace Be Upon Him) or to defile the name of 'Sahaba-e-Karam' or in any manner defiled their dignity or honour as I am a true Muslim 'Alhamadulillah'.

Q-29. Is it correct that Video Cassette and Audio Cassette (P-1) of your speeches were also prepared in the said mosque on 28-2-1997?

Ans. It is incorrect. I did not permit any person to record Audio Cassette, however, off and on Video Cassette of my sermons were prepared but not the audio.

Q-30. Is it correct that Audio Cassette (P-1) and Video Cassettes (P_2 and P_5) contain your speeches?

Ans. My counsel has advised me not to answer this question

Q-31. Is it correct that Mian Mohammad Awais and Hafiz Mumtaz (Pws) were present in the said congregation in which you claimed yourself to be the Holy Prophet (Peace Be Upon Him) and out of the persons sitting, your 'Murids' Zahid Zaman and Abdul Wahid were declared to be 'Sahabas' and in this way you defiled the name of Holy Prophet (Peace Be Upon Him) and 'Sahab-e-Karam'?

Ans. It is absolutely incorrect. Infact I do not know the prosecution witnesses, as mentioned above, even I have heard the names of prosecution witnesses Mian Mohammad Awais, Hafiz Mumtaz Awan for the first time.

Q-32. Is it correct that on 29-3-1997 Mohammad Ismail Shujaabadi produced a Video Cassette (Exh.P-2) and Audio Cassette (P-1), which were taken into possession by the police?

Ans. I do not know.

Q-33. Is it correct that on 18-4-1997 Athar Iqbal produced a Video Cassette (P-5), which was taken into possession by the police?

Ans. I do not know.

Q-34. Is it correct that Mian Ghaffar Ahmed (PW) met you in your house situated at 218-Q, Defence, Lahore at 2.00 p.m on 22-3-1997 and you claimed that 'Khilafat-e-Uzma' has been awarded to you by Allah Almighty and 'Khilafat-e-Uzma' was awarded to the Prophet Hazrat Adam Alahe Salam and continued to all the

Prophets and now 'Khilafat-e-Uzma of Holy Prophet (Peace Be Upon Him) is with you and in this way you claimed yourself as the Holy Prophet (Peace Be Upon Him)?

Ans. It is correct to this extent that Mian Ghaffar (PW) once met me in my house but the later part of the above-mentioned question is absolutely incorrect and that infact he demanded an amount of rupees three crores from me for not blackmailing me and actually it was the message of Zia Shahid, Chief Editor daily 'Khabrain'.

Q-35. Is it correct that Sohail Zia is alone your 'Murid'?

Ans. It is absolutely incorrect and actually I heard his name today.

Q-36. Is it correct that Audio Cassette (p-1) provided by the complainant to the police related to your Khutba Jumma in the mosque 'Baitul Raza' situated in Chowk Yateemkhana, Lahore on 28-2-1997?

Ans. I do not know.

Q-37. Is it correct that in your speech recorded in Audio Cassette (P-1) you declared all the translations of the Holy Quran incorrect and defective?

Ans. It is incorrect, infact it is a matter of discussion in detail at any proper forum.

Q-38. Is it correct that you, in your speech recorded in the Video Cassette (Exh.P-2) and its transcript (P-11/1-10) announced that some verses of Holy Quran are very mischievous?

Ans. My counsel has advised me not to answer this question.

Q-39. Is it correct that one 'Rizwan' arranged your meeting with Mohammad Abubakar Ali (PW) in the month of June, 1997 in the house of Abdul Wahid?

Ans. It is incorrect.

Q-40. Is it correct that you called Mohammad Ali Abubakar as Abubakar Siddique?

Ans. It is absolutely incorrect.

Q-41. Is it correct that you said to Mohammad Ali Abubakar (PW) that there is no need to perform 'Umra' and you can arrange 'Umra' here?

Ans. It is incorrect. I cannot imagine of saying this in the wildest of my dream.

Q-42.

Is it correct that you said to Mohammad Ali Abubakar (PW) that 'Makaan' is there and 'Makeen' is here, on which he was angry and thereafter you allowed him to perform 'Umra'?

Ans.

It is absolutely incorrect as it is a cooked-up story.

Q-43.

Is it correct that Mohammad Ali Abubakar (PW) was one of your 'Murid'?

Ans.

It is incorrect.

Q-44.

Is it correct that you said Mohammad Ali Abubakar (PW) that you can arrange meeting of him with the Holy Prophet (Peace Be Upon Him)?

Ans.

It is absolutely incorrect.

Q-45.

Is it correct that you had obtained promise of top-most-surrender to you from Mohammad Ali Abubakar for his meeting with the Holy Prophet (Peace Be Upon Him) and he had replied that whosoever could be desired by you, he could surrender for meeting with the Holy Prophet (Peace Be Upon Him)?

Ans.

It is absolutely incorrect.

Q-46.

Is it correct that you asked Mohammad Ali Abubakar (PW) to decorate a room in his house and whenever you reached Karachi from Lahore you would stay there and thereafter you declared the said room as 'Ghar-e-Hira'?

It is absolutely incorrect.

Q-47.

Is it correct that you said to Mohammad Ali Abubakar (PW) that you arranged his meeting with the Holy Prophet (Peace Be Upon Him) and for that you called the said PW in the said room of his house and asked him to close his eyes and asked him to recite 'Darood Sharif' and when he started reciting 'Darood Sharif' you asked him to open his eyes and when he opened his eyes, you, all of a sudden, took him in your 'Jhappa' and pronounced that you are 'Mohammad' (Peace Be Upon Him), on which the PW started weeping and you kept him in your 'Jhappa' and the said PW came out of the room while feeling shivering, on which your followers, who were sitting outside the room congratulated said PW on his physical meeting with the Holy Prophet (Peace Be Upon Him)?

This piece of evidence, being 'Bhotan' and 'Thomat' is absolutely incorrect.

Ans.

Q-48. Is it correct that you, while sitting in the house of Abdul Wahid demanded an amount of Rs.50,00,000/- (Fifty lacs) from said Mohammad Ali Abubakar (PW) on the pretext of purchasing a house, which the PW paid to you?

Ans. I never demanded any amount from this PW to purchase my house.

Q-49. Is it correct that you demanded one 'Air-Conditioner' from Mohammed Ali Abubakar (PW), which he purchased from the market and you installed it in your room arranged for you in the house of Abdul Wahid and you also purchased Carpet from Karachi for which the said PW paid an amount of rupees eleven thousand and the PW also purchased furniture for your room as you directed him for your stay in Karachi in the house of said PW at Karachi and you brought the furniture at Lahore and this furniture was purchased by PW for which the said PW paid an amount of Rs. 1,50,000/- (One lac and fifty thousand). Apart from the above, you also purchased the curtains from Karachi for which PW paid an amount of Rs.53,000/- (fifty three thousand) and the PW in this way paid an amount of Rs.60,00,000/- (Sixty lacs) in toto?

Ans. It is absolutely incorrect that I demanded any thing from this PW or for that matter any one else.

Q-50. Is it correct that document Mark 'A' is with regard to Demand Draft of rupees three lac, the detail of which is given in the document, which was paid by Mohammad Ali Abubakar to you?

Ans. It is incorrect. Infact I used to pay money to Mohammad Ali Abubakar to get the Demand Draft made in my favour.

Q-51. Is it correct that the document Mark 'B' is with regard to an amount of rupees five lacs paid by Mohammad Ali Abubakar (PW) to you?

Ans. My answer is same which I gave as above.

Q-52. Is it correct that document Mark 'C' is with regard to payment of Rs 2,50,000/- two lacs and fifty thousand) made by Mohammad Abubakar Ali (PW) to you?

Ans. My reply is same as given above.

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Q-53. Is it correct that document Mark 'D' is with regard to Demand Draft for an amount of rupees two lacs paid by Mohammad Abubakar Ali to Mrs. Tayyaba Yousaf Ali, your wife?

Ans. My reply is same as above.

Q-54. Is it correct that document Mark 'E' is with regard to the dollars got encashed by Mohammad Abubakar Ali for an amount of Rs.20,950/- paid to you?

Ans. It is absolutely incorrect.

Q-55. Is it correct that the receipt Mark 'F' is with regard to the purchase of air-conditioner by Mohammad Abubakar Ali (PW) for you but the receipt is in the name of Abdul Wahid, however, the air-conditioner was handed over to you?

Ans. It is absolutely incorrect.

Q-56. Is it correct that receipt Mark 'G' with regard to Carpet purchased by Mohammad Ali Abubakar for you and the Carpet was handed over to you?"

Ans. It is incorrect. Infact, all these articles, as mentioned above, purchased for himself to be installed in his house.

Q-57. Is it correct that the document Exh.P-6 is with regard to return of an amount of Rs.24,02,410.50 (Twenty four lacs two thousand four hundred and ten and fifty paisas) by you to Mohammad Ali Abubakar on his demand of paying in dire need and you also promised to return the remaining amount as well as after receiving the same from Madina?

Ans. It is incorrect. Infact I took 'Qarz-e-Hasna' of rupees twenty four lacs from Mohammad Abubakar Ali and when I was able to pay back, I paid this amount voluntarily. Rest is incorrect.

Q-58. Is it correct that the document (Exh.P-7) is with regard to payment of an amount of Rs.24,10,000/- (twenty four lac and ten thousand) by Mohammad Ali Abubakar (PW) to you?

Ans. It is incorrect. I have returned this amount and my reply is same as above.

Q-59. Is it correct that you gave diary (Exh.P-8/1-116) to Mohammad Ali Abubakar stating that after reading this diary, he will rely on you?

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Ans. It is absolutely incorrect.

Q-60. Does diary (Exh.P-8/1-116) belong to you?

Ans. It is incorrect. I have not even seen this diary.

Q-61. Is it correct that in a 'Majlis of Qawwali' held in the house of Abdul Wahid you said that so long the members of 'Majlis' would not see the Holy Prophet (Peace Be Upon Him), no one shall die?

Ans. It is incorrect.

Q-62. Is it correct that you told Mohammad Abubakar while he was going to attend 'Mhefil-e-Naat' that the person for whom the PW is going to attend here and restrained him from attending said 'Mhefil-e-Naat' but the PW did not care for you and went to attend the 'Mehfil' of 'Naat Khwani'. And when the PW came back after attending 'Majlis-e-Naat' you called him in your room and you were too angry with the said PW for disobeying his orders and you said that since the PW had violated your orders, he shall be involved in 'Azaab Allah' and thereby you also defiled the name of Holy Prophet (Peace Be Upon Him)?

It is absolutely incorrect. I cannot even imagine to defile the name of my beloved Holy Prophet (Peace Peace Be Upon Him).

Q-63. Is it correct that you invited Mohammad Ali Abubakar (PW) on 28-2-1997 in the marriage ceremony of your daughter and in the meeting of the World Assembly held in the mosque 'Baitul Raza' situated at Chowk Yateemkhana, Lahore?

Ans. It is correct to the extent of his attending the marriage ceremony of my daughter. Rest is incorrect.

Q-64. Is it correct that the PW attended the meeting of the World Assembly in the mosque 'Baitul Raza' situated in Chowk Yateemkhana, Lahore on 28-2-1997?

Ans. It is incorrect that he attend the meeting of World Assembly but he did attend the Jumma prayer.

Q-65. Is it correct that you convened the meeting of World Assembly on said date i.e 28-2-1997 in mosque 'Baitul Raza' situated in Chowk Yateemkhana, Lahore and you

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issued Invitation Cards and out of those photo copy (Mark 'H') is that of the Invitation Card given to Mohammad Ali Abubakar?

Ans.

It is incorrect that I never gave any Invitation Card to Mohammad Ali Abubakar(PW).

Q-66.

Is it correct that while delivering speech on 28-2-1997 in mosque 'Baitul Raza' you said, as recorded in Audio Cassette (Exh.P-1), that as to why you selected mosque 'Baitul Raza' for the World Assembly and as to why you did not select 'Masjid-e-Nabwi' and 'Masjid-e-Haram' and you explained that you selected mosque 'Baitul Raza' in the same manner as 'Ghar-e-Hira' was selected by Allah and you also said that some Surat/Ayaat and even Holy Quran were present there?

Ans.

After consultation with my counsel, I did not want to answer this question.

Q-67.

Is it correct that you delivered khutba speech on 28-2-1997 in the mosque 'Baitul Raza' situated in Chowk Yateemkhana, Lahore and declared hundred of the persons present there, as 'Sahabis' and you introduced Abdul Wahid and Zaid Zaman, your 'Sahabis' and both these persons also delivered their speeches to some extent?

Ans.

It is incorrect.

Q-68.

Is it correct that you in the said meeting said that Holy Prophet (Peace Be Upon Him) is not on duty and it is on his 'Atta' that a 'Rasool' is addressing you and thereafter in the same meeting you introduced Mohammad Ali Abubakar (PW) and said that if the Holy Prophet (Peace Be Upon Him) accepted the services of any body, he is Mohammad Ali Abubakar (PW) and you brought the said PW, who was sitting in the third or fourth row, near the pulpit and said that the said PW, who served you first, he was Abubakar and now he is Mohammad Ali Abubakar and then you called the said PW as 'Abubakar Siddique'. It means that the said PW was your Sahabi?

Ans.

It is incorrect.

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Q-69.

Is it correct that in the month of December, 1995 after Jumma prayer in the Hujra, attached with the mosque 'Baitul-ul-Raza, situated in Chowk Yateem-khana, Lahore, Sohail Raza, introduced Sajid Munir Dar (PW) to you?

Ans.

It is absolutely incorrect.

Q-70.

Is it correct that you said to the said PW that if you arranged his meeting with Holy Prophet (Peace Be Upon Him) whether the PW could have the price for the same or not, upon which the PW replied in affirmative. And you said to the said P/W that unless he had meeting with the Holy Prophet (Peace Be Upon Him) he would not die. Moreover, in case of meeting, all the sins of PW shall be forgiven and he shall not be entered in the Hell and he shall go in 'Jannat' and you asked PW to hand over his golden chain and ring, which the PW gave to you?

Ans.

It is incorrect. Infact it is 'Bhotan' and 'Thomat' on me.

Q-71.

Is it correct that on the next day of the said meeting you invited PW Sajid Munir Dar to come to your house at 218-Q, Defence, Lahore and the said PW alongwith Sohail Zia came to your house at Defence, Lahore and you took the said PW alone in your 'Hujra' established in your house while many other people were sitting in the main Drawing Hall?

Ans.

It is incorrect and infact I had seen Sajid Munir (PW) for the first time in the court room.

Q-72.

Is it correct that while being present in the said 'Hujra', you said that PW is lucky, who is going to meet the Holy Prophet (Peace Be Upon Him) and thereafter you said to PW that you are Mohammad (Peace Be Upon Him) and thereafter you embraced him?

Ans.

It is incorrect.

Q-73.

Is it correct that during your speech recorded in Video Cassette (D 5) you called yourself as 'Rasool Allah' and said وہو ان نیکم رسول?

Ans.

It is incorrect.

Q-74.

Is it correct that in Video Cassette (P-2) you asked the people about yourself that they shall believe you as resemblance and identical of the Holy Prophet (Peace Be Upon Him)?

Ans.

It is incorrect.

Q-75.

Is it correct that in your speech recorded in Video Cassette (Exh.P-2) you also invited to the people to believe you as pious and identical of the Holy Prophet (Peace Be Upon Him) and if they have to oppose their families, their wives, their children and even they are required to murder them for this belief, they have to repeat 'Badar', 'Hunnain' and repeat 'Karbala' and have to believe you in the same way?

Ans.

It is absolutely incorrect.

Q-76.

Is it correct that you informed to Mian Abdul Ghaffar (PW) that when he met you in your house at 218-Q, Defence Lahore that 9th of 'Rabiul-Awwal' is your date of birth and 12th of Rabiul Awwal is not the correct date of birth of Holy Prophet (Peace Be Upon Him)?

Ans.

It is absolutely incorrect.

Q-77.

Is it correct that in your speech recorded in Video Cassette (Exh.P-5) you stated that '12th Rabiul Awwal' is not Birth Day of Holy Prophet (Peace Be Upon Him) and 9th of 'Rabiul Awwal' is the actual date of birth of the Holy Prophet (Peace Be Upon Him).

Ans.

It is absolutely incorrect.

Q-78.

Is it correct that Khushi Mohammad, S.I/O asked you to get your voice recorded for comparison with the voice of Video Cassette (Exh.P-2) and Exh.P-5) and Audio Cassette (p-1) but you refused to get the voice recorded?

Ans.

It is absolutely incorrect.

Q-79.

It is in evidence that Mohammad Ismail Shujaabadi, complainant produced before Investigating Officer 22 pages of your diary (Exh.P-3/1-22) . What have you to say about it?

Ans.

It is incorrect.

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Q-80. Does diary (Exh.P-8/1-116) belong to you?

Ans. It is absolutely incorrect.

Q-81. Is it correct that the complainant produced one page of your diary Exh.P-4 to the police?

Ans. It is incorrect.

Q-82. Is it correct that you appealed to your followers (Murids) to say 'Darood Sharif' on you in the hour of distress and clamity as test of your faith as reported in weekly 'Takbeer' Karachi (Exh. P-9/1-52)?

Ans. It is absolutely incorrect.

Q-83. Is it correct that transcript (Exh.P-10/1-10) of Audio Cassette (Exh.P-1) is transcription of your speech recorded in said Audio Cassette?

Ans. After consultation with my counsel I do not want to answer this question.

Q-84. Is it correct that transcript (Exh. P-11/1-10) is your speech recorded in the Video Cassette (Exh.P-2) produced by the complainant before the Investigating Officer?

Ans. After consultation with my counsel I do not want to answer this question.

Q-85. Is it correct that transcript (Exh.P-12/1-19) is your speech recorded in Video Cassette (P-5) produced by Athar Iqbal (PW) before the police?

Ans. After consultation with my counsel, I do not want to answer this question.

Q-86. Is it correct that you also claimed to be continuation of the Holy Prophet (Peace Be Upon Him) as reported in weekly 'Takbeer' Karachi (Exh.P-13/1-52)?

Ans. It is absolutely incorrect. I cannot even imagine of doing any such act.

Q-87. Is it correct that you made an appeal to your followers to sacrifice their wives in this noble cause, which was reported in weekly 'Takbeer' Karachi, Exh. P-9/1-52?

Ans. It is absolutely incorrect. Infact except my wedded wife all women for me are my sisters and daughters.

Q-88. Is it correct that you have stated in the Video Cassette (P-2) that Allah Almighty is talking through you which means that Allah is talking after coming in you and you also declared that the voice from your lips is the real Book, meaning thereby 'Al-Kitaab', the Noble Quran?

Ans. It is absolutely incorrect.

Q-89. Why this case against you and why the prosecution witnesses deposed against you?

Ans. This case is an outcome of 'Hasad', 'Tama', 'Lalach', 'Bug haz', ignorance of religious knowledge and ignorance of Sufiism' and from even prior to the registration of the FIR I made my belief known to the entire world through press-citations whereby I said "لَا إِلَهَ إِلَّا اللَّهُ مُحَمَّدٌ رَسُوْلُهُ" and also said that the claimant of Prophethood is 'Mardood' and so is the person who falsely alleges so, and as of today well Sir my stand is the same. I directly and also through my lawyers conveyed messages, even in the open court that should there be any misunderstanding whatsoever let us sit and sort out the differences in most cordial and amicable manner but for reasons best known to them, they never accepted my offer and we never got the opportunity to exchange views, so much so that I was declared 'Kafir' by naming my house 'Jannat-e-Tayyaba' inspite of the fact that 'Jannat' is the name of my mother and 'Tayyaba' is the name of my wife, even then they wanted my hanging in the Regal Chowk. As far as the aspect of this case is concerned, this example is enough to show what sort of knowledge the complainant or the witnesses could have. I am a very humble student of 'Sufiizm'. All these questions were duly answered while I was under interrogation and there I said "میں تو حق پر ہوں اور علیہ السلام کی جنوں کے فائدے برابر بھی نہیں

" and the same I say today. My purpose of giving this explanations are not for the purposes of this case. I again make an offer that let sit if you can prove me wrong, I should be given death penalty, but, on the other hand, if you prove to have done some thing wrong, then you should be prepared for the same fate. Numerous witnesses whom I had not even met them in the past but they were planted through a collective conspiracy for blackmailing purposes, for mala fide and ulterior motives.

Q-90. Have you anything else to say?

Ans.

According to Holy Quran, 'Shaheeds' are alive but few people do not have such thinking or awareness. The 'Aulia Karam, 'Prophets' and Friends of Allah Almighty is far superior and one of the proof is appearance of all Prophets in 'Masjid-e-Nabwi' and offering prayer under 'Imamat' of 'Hazoor Khatamun Nabiyeen Syed-e-Na Mohammad (Peace Be Upon Him). For me my Master Holy Prophet (Peace Be upon Him), 'Khulfa-e-Rashdeen' 12 Imams and 'Ahle-e-Bait' four Imams of Fiqa, 'Hazrat Ghos-e-Azam', 'Hazrat Datta Ganj Bakhsh' Hazrat mam Bari' and all the Senior Shaikhs of my 'Silsa' are alive and under the presence of so many Seniors and Great and Very Great how can this humble servant even think of all these allegations. I give this evidence that there is no 'Ilah' except Allah Almighty and Mohammed (Peace Be Upon Him) is Prophet of Allah, my emphasis is on 'IS' He is 'Khatam-un-Nabiyeen' beacon of mind and guidance to the end of time. Therefore, I cannot think of my wildest dream and could even imagine of committing or even thinking or committing of offences which are alleged against me and by the same token I cannot imagine that one Muslim can make such allegations against the other Muslim. Therefore, I am innocent in this case.]

Q-91.

Will you get your statement recorded under Section 340(2) Cr.P.C in disproof of the charges against you?

Ans.

Yes.

Q-92.

Will you produce defence evidence?

Ans.

Yes.

R.O & A.C.
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9/8/2000



13. Even reproducing his statement on oath , for the facility of a stranger Section 340(2) Cr.P.C is being reproduced as under:

Section 340 (2) Cr.P.C.

Any person accused of any offence before a Criminal Court or against whom proceedings are instituted under this Code in any such court, shall, if he does not plead guilty, give evidence on oath in disproof of the charges or allegations made against him or any person charged or tried together with him at the same trial.

Provided that he shall not be asked, and, if asked, shall not be required to answer , any question tending to show that he has committed or been convicted of any offence other than the offence with which he is charged or for which he is being tried or is of bad character unless.

- i) The proof that he has committed or been convicted of such offence is admissible in evidence to show that he is guilty of the offence with which he is charged or for which he is being tried; or
- ii) He has personally or by his pleader asked questions of any witness for the prosecution with a view to establishing his own good character, or has given evidence of his good character; or
- iii) He has given evidence against other person charged with or tried for the same offence."

14. In other words, it means that it is the statement of the accused on oath, which is subject to cross-examination by the prosecution. Anyhow, the same, in verbatim, is as under:-



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originality which is 'Ahsan-e-Taqveem' and that is not possible unless he embraces Islam. I must explain what Islam is 'Islam' is a meeting between 'Allah (SWT)' as such and man as such. When I say Allah as such, I mean Allah as He envisaged Himself not as He manifested Himself and when I say man, I mean man according to his reality i.e 'Anfus' that is the REAL MAN, that is the purified man. Reference 'Surat Dehar Verse No.1 II Reference 'Surat Al-Aaral' Verse No.11.' We take man from 'Asfala Safleen' to Ahsan Taqveem as under:

i) "The man has been created to know Allah (SWT) Reference Surat 'Zaraayat' Verse No.56 and translation Reference 'Kashful Majoob' by Hazrat Datta Ganj Bakhsh page 651 i.e translated by Maulana Feroz-ud-Din (10th Edition of dated January, 1968). Here to quote an example we believe like constructing a building, you require different material, some one make excellent window and some one make other building material. Similarly, we trust that all Organisations and Jamaat of Muslim World are sincere and respectable like for instance when I talk about 'Ishq-e-Mohammad' (Peace Be Upon Him) I would love to be student of Sufi Saints, when I have to strive against the enemies of Islam, I would love to go to Jamaat-e-Islami Camp' When I have to hear the Naats, I would love to sit in Bralve's company. If I have to hear good sermons about 'Ahle-Bayat Rasool' I would prefer to go to Shias and while perform exotic I would to be a student of 'Daobandi' and if I have to talk about 'Toheed', I will humble myself before 'Ahle-Hadees'. What I mean to say all Muslims have some good partial knowledge, not a total knowledge, the total knowledge is under the Feet of Hazrat Mohammad (Peace Be Upon Him).

ii) a man reaches the 'Meraj' of 'Taqva', he is blessed with the guidance of 'Al-Kitaab'. When a man reaches the 'Maraaj' of



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'Ibadat', he is blessed with 'Taqva' Reference Surat Baqra Verse 21.

iii) When Reference Surat Baqra Verse-2, and when he travels in 'Al-Kitab', ultimately he reaches to his originality i.e 'Ahsane-e-Taqveem' and this is the real beginning.

Note.

No matter how a pious Muslim may be if he belongs to any 'Firqa' he cannot have any direct connection with our Holy Prophet (Peace Be Upon Him) Proof, Verse-159 Surat Al-Insaan. However, out of his mercy our Holy Prophet (Peace Be Upon Him) may bless him indirectly. Reference, 'Namoos-e-Rasool (Peace Be Upon Him) and 'Qanoon-e-Toheen Risaalat' by Mr. Mohammad Ismail Q... Senior Advocate, page 28. Reference-II page 84. Here I would like to point out the Leader for the World, may be material World, physical World or meta-Physical World is only I repeat only Hazrat Mohammad (Peace Be Upon Him). No one else can be a Leader in any capacity. 'Alhamadulillah', this C.D does not contain any film or the songs but the name of this C.D is 'Alim' and this C.D contains the Holy Quran, its translation, 'Siha Sitta' and Islamic Fiqh. It, as compared with an ordinary scholar can easily express its contents on the Computer. In other words, we want to say that 'Oh Human Being' do not study the reality under human wishes but the reality is that if all things can be recorded in this simple piece (C D), then why everything cannot be preserved in the human body, in accordance with the latest research, it has proved that the Holy Quran has been recorded in the D.N.A and here we have confined ourselves to refer one verse of Allama Mohammad Iqbal, which is as under:-

”یہ راز کسی کو معلوم نہیں نہ سوجھ
تاریخی نظر آتا ہے حقیقت میں یہ قرآن“

Anything may look as lower if it is seen from a distance or it is seen with proudness. When the imaginations are clear these are united and when these are united, they touch the top and the height of imaginations is the origin of Elevation of Human (Meraj-e-Insani). The Excellence (Meraj) of Allah Almighty and Holy Prophet (Peace Be Upon Him) Height of Human Being, 'Qadam-e-Mohammad-e-Mustafa (Peace Be upon Him). Knowledge is catastrophe (Hr' without 'Tazkia' (تزکیہ). Knowledge is to that extent which is practice, otherwise these are information. The human being is secret of Allah Almighty and Allah Almighty is secret of human being. Here in the court, the Holy Quran, Hadith and other Islamic Books are available and all these books are paid respect by every one. There is one C.D in our hand and the point is that as to whether it should be respected or not, it is concerned with knowledge of awareness (Ilm-e-Aaghyee). Allah Almighty sent the human being in this world, each human being in accordance with his reality i.e in accordance with 'Ahsan-e-Taqqeem' Issafala Safayleen' is figment of imagination. When a person is surrounded by figment of imaginations, then he is different from another human being. The identification of 'Ahsan-e-Taqqeem' is that he will become the representative of Holy Prophet (Peace Be Upon Him) for the entire world. The reality of human being, the reality of the world, the reality of Holy Quran and reality of the reality is "لا اله الا الله محمد رسول الله" The literally meaning of it is that "ليس الا هو الله محمد رسول الله" There are seven words in this sacred 'Kalma'. If some one has to translate the 'Kalma' in any language, then he has to confine upto seven words, as mentioned above, or he should study from



سید محمد جبار احمد



'Murshid-e-Kamil' as if the 'Kalma' told by some lover, which is as under:-

درد کلمہ یار پُر عایا ہو
میں سدا سہاگن ہوئی ہو

'Suhagan' is the code word of lovers, which is translation of 'Surat Fajr'

Verses No.27 and 28.

Note.

Those, who know Arabic would say that the word 'Nafsa Mutmaeen' ("نفس مطمئنه") has been called so feminine and the example is given that the lover when reaches to an extreme, then he becomes 'Banda' (Abd) of Allah Almighty and becomes the slave of Holy Prophet (Peace Be Upon Him) and appears before the Holy Prophet (Peace Be Upon Him) and in this situation he has got no will nor demand and actually he is nothing but simply appears. The existence of 'ا' (میں) is such a sin that all the sins are lower then this sin.

Mein, Mein, Mein, (میں) (میں) (میں) the goat spoke and got her skin removed.

Meina, Meina, Meina (میں نہ) (میں نہ) (میں نہ) spoke and it convinced over heart and infact

'Meina' (میں نہ) is called sacrifice as stated by Sultan-ul-Arfeen Hazrat Bahoo, which is as

under:-

”جے کر دین علم و حج ہو نذر
سب سہرے نہ کیوں چڑھوے ہو
اٹھارائیں ارجو عالم آیا
وہ آگے حسینؑ دے مردے ہو
جے کر صلہ و خطہ نہ اور داکر دے
فقیہ تمہوں کیوں جلدے ہو
جے کر بیت وول ہو نذر
بانی کیوں بند کر دے ہو
صادقہ دین تنہاں با ہو
جہڑے سر قہر بانی کر دے ہو“

As far as the human being (Bashriat) and personality of Mohammad Yousaf Ali is concerned, whatsoever cruelty was done to him, he forgives the same in the Name of the Holy Prophet (Peace Be Upon Him), he never thought about revenge nor he took the revenge and nor he shall take the revenge and it is my advice to all my friends that what to speak of taking revenge in the world, even any indecent word should not be spoken and my conduct in nutshell is as under:-

”جیتے جی سنگ اپنا ہو
خود گند فقیراں ایش ہو
گھر کوئی گالی طعندہ نہ
اسکو جی جی کہتے ہو
کوڑا کرکٹ ہنس کوئی
وانگ اور زلی سہیٹے ہو
بارکی خاطر اس دنیا میں باہو
سب کچھ سہیٹے ہو“

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Besides it in my view the advice of Hazrat Datta Ganj Baksh, Rehmatulla-ale, as contained in 'Kashful Majoob, 10th Edition, January, 1968 page-624, is as under:-

“That the way of slander is liked by 'Mashyikh-e-Tariqat' and in this way, a man is saved from any strange thing, prowdness and self praise and where there is also strength and stability in his love and affection. It is the style of Allah Almighty that he degrades and makes disliked in the public and the life of Prophets is an example in this regard”.

Alhamdulillah (الحمد لله) it is the grace of Allah Almighty that our education, training and 'Tazkia (تذکیہ) is directly conducted by the Holy Prophet (Peace Be Upon Him) and indirectly by the Mashyikha (مشیخہ) of this line. The life of the Holy Prophet (Peace Be Upon Him) and all the allegations, in detail, are contained in the Books, which are as under:-

i) 'Aqaid-e-Ahl-e-Sunnat Wal-JKamaat, Written by Maulana Abdur Rehman Ashrafi of Jamia Ashrafia, Lahore, Arranged by Hazrat Maulana Mufti Syed Abdul Shakoor Tirmizi, Incharge Madrisa Arabic Haqania, Sahiwal, District Sargodah

ii) Madaruj Nmabuwwat, Written by Hazrat Allama Sheikh Abdul Haq Mohadas Dhelvi, Published by 'Madina Publication Company, M.A Jinah Road, Karachi.

Alhamdulillah (الحمد لله) all the allegations onus in presence of Allah Almighty and Holy Prophet (Peace Be upon Him) as witnesses, are false and 'Bhotan' (بھوتان) and lack of knowledge and that also due to an assault of devil. We, for the heightness of Allah Almighty, 'Deen-e-Haq' (دین حق) and for happiness of Allah Almighty shall present some explanations with brevity:-

"We think the description of the defect of any one as back-biting (غیبت). We can sacrifice our life but shall not point out the defect of any one. There are many sets of Holy Quran available here and our referecne can be examined by any reference. We received Surat Noor separately, therefore, we shall present this book i.e with reference to 'Surat Noor Verses No.12 and 13' and its 'Hashia No.19' may also be perused, which is contained in 'Zia-ul-Quran'. Translation and Exegesis by Peer Muhammad Karam Shah Alazhri, Zia-ul-Quran Publications, Noor-ul-Karim Market, Urdu Bazar, Lahore".

Sir, 'Wallah', 'Wallah', 'Wallah', 'Wallah', 'Wallah', (والله) (والله) (والله) (والله) (والله) all the women, except my wedded wife, are just like my mother and sister for me. Alhamdulillah (الحمد لله) 'Seeran' and 'Nasban' (سیران) and (نسب) we have been blessed in abundance by the Allah Almighty. With the blessings of Allah Almighty, we were always in the position of giving. Even now the people are indebted to us. All the person, who

referred of giving gifts to us, we, whose gifts, keeping in view Surat Toba Verse-103, after receiving distributed to others, and Allah Almighty is witness to it that we or any one, out of our family did not utilise it. And what is the matter of gift and for it we refer 'Sahi Bokhari Sharif Part-II, translated by Dr. Mohammad Mohsin Khan, Islamic University, Madina Munawara and 2nd Edition as amended 1976 page -478, photo copy presented, and the meaning of it is that, who, after offering the gift demands it back is like that dog, who, after vomiting trying to take it back. The storm which started against us was for the reason that people did not like our saying that the translations of Holy Quran are not correct and we present the proof of it.

Tamheed

There are two types of contact of human being with the Holy Prophet (Peace Be Upon Him) and this contact is possible with every human being. One contact is indirect (بالتوسل) i.e. Sahabe-e-Karam Razi-Allah-Tala-Anho, Taabeen, Tabe-Taabeen and second contact is direct (بلو راسته), the summary of which is given in the Book titled as 'Namoos-e-Rasool' and 'Qanon-e-Topheen-e-Risalat', written by Mr. Mohammad Ismail Qureshi, Senior Advocate Supreme Court of Pakistan at Page-28 and the dream narrated by him the contact of this love differs from man to man and no one has any sort of interference.



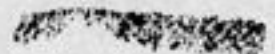
”ایک عشق سلفی ہے اگر کسی کے نصیب
ورنہ دھرا بھی کیا ہے جو اس سراب میں“

Note.

Here under the orders of some one, the word 'kharaab' (خراب) has been substituted with word 'Saraab' (سراب) and this is literally honesty.

Note.

Any person if possesses entire world, he is the temporary owner
The entire world is with him but he does not possess religion (دین)
) which means that he has nothing with him.



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If some one has the complete knowledge of 'Deen-e-Islam' then he would look scholar apparently but if he does not have the love of Holy Prophet (Peace Be Upon Him), then he has nothing with him. For example, there are great scholars in the Universities of Europe and West, who give lectures on Islamiyat but since they have no love for the Holy Prophet (Peace Be Upon Him), therefore, they are not treated as 'Muslims'. There is no human being in the world prior to his being 'Iblees', who worshiped which the worship was offered by 'Iblees' and it can be explained as under:-

دیکھنا چاہیے ہمارا ایک سجدے سے نہ کرتا ہے
اگر لاگوں برسوں سجدے سے میں ہمارا تو کیا مارا ہے

To save the precious time of this court, we will refer only those verses whose translations is disrespectful (گستاخ) and incorrect, which are as under:-

i) Surat Baqra Verse-256.

The word 'Urootulwosqa' (عروت الوسقی) has not been translated in any Holy Quran correctly. Now we introduce the correct translation for the sake of Allah Almighty and the Holy Prophet (Peace Be Upon Him).

'Urootulwosqa' (عروت الوسقی) means the Holy Prophet (Peace Be Upon Him).

Proof (i).

This name of Holy Prophet (Peace Be Upon Him) has been written in the latest arch (قرب) of Masjid-e-Nabwi Sarif towards its right side.

Proof (ii)

Roohul-Qudoos (روح القدس) also means the Holy Prophet (Peace Be Upon Him) and this name is written on the arch (قرب) of 'Masjid-e-Nabwi Sharif' towards its left side and the Proof No.2 is from the Book titled 'Isma-e-Nabi Kareem (Peace Be Upon Him)' written by Suifi Barkat Ali Salaarwalay. Surat Qiana Verse-16
Surat Wazha Verse-7

And in the same way in Holy Quran, there are many points, which can be explained at any moment by us Ahzaab Verse-72. The translation of words 'Tlooman Jhoola' (طوْمَانُ جُوْلَا)

is highly insulting. And with reference to 'Surat Qasas Verse-56' of Holy Quran some one asked

us that in accordance with this verse, God Forbid (Astaghferullah) the Holy Prophet (Peace Be Upon Him) may not offer guidance of any one and on name of Holy Prophet (Peace Be Upon Him) and saying of the Holy Prophet (Peace Be Upon Him) our life stands sacrificed. And we, all of a sudden, in accordance with Surat Shura Verse-52 replied to him that to whom the Holy Prophet (Peace Be Upon Him) likes may give guidance, on which that person put another question that there are difference in the verse of Holy Quran, on which Alha^h (الحمد لله) we replied that there is no difference in the verses of Holy Quran and in proof is Surat Nisa Verse-82 and it is the mischief of human conscious and infact the person in accordance with his choice seeks guidance from the Holy Book and by depriving himself of 'Tazkia (تزكية) and by involving in human desires becomes blind, it is announced in Surat Baqra Verse-26 of Holy Quran.

”در سخن حق منم جو را بگوشت گل در برگ گل
پیر دیوان جیل دارد در سخن بینی مرا ۲۰

The mother of Mohammad Yousaf Ali, on spiritual side, was attached with Mian Sher Mohammad and his father Wazir Ali was attached with Hakim Ali qadri. Whatever we want say further (God Forbid) we do not claim, rather it is the admission of the blessings of some body. A paper is simply a paper and by itself it is nothing. Whatever is written on it, it is called with that name. For example, if Holy Quran is printed, it is called Quran. The paper is not Quran by itself but is called Quran by the printing of the Quran on it. In the same way what we are going to advise, Mohammad Yousaf has no speciality in that. In this world when some body is granted some post and prior to that he has confidence of that. In this way whatever has been granted to us, we were confident of that. Alhamadulillah (الحمد لله) prior to the birth of Yousaf Ali, his parents, 'Murshid' of his parents and the Holy Prophet (Peace Be Upon Him) himself gave the happy news that we have a contact with the Holy Prophet (Peace Be Upon Him) through dreams and observance and through assessment, that is our personal matter and it is not objectionable

(حجت) for others. We mention this fact for the reason that in our conversation all the terms are these which we have got from the Holy Prophet (Peace Be Upon Him), for example, in Arabs the word 'Ahl-e-Bayat' (اهل بیت) is usually used, the 'Ahl-e-Bayat-e-Rasool' are specified. 'Ahl-e-Bayat' can be used for any body. For example, 'Surat Raat Verse No 73'.

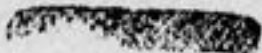
'Surat-ul-Azaab Verse 21'. According to faith and belief of all the Muslims the Holy Prophet (Peace Be Upon Him) is the only settled yardstick. He (Peace Be Upon Him) is the Prophet of Allah Almighty.

Proof. Exegesis by Allama Shabbir Usmani Surat Airaaf verse No.158 Hashia No.8 of the Holy Quran translated by Sheikh Mehmood-ul-Hassan, published in 'Madina Munawara'.



Whatever has been taught to us, proof of which is that we are to be in accordance with the example of the Holy Prophet (Peace Be Upon Him). If some one is like Holy Prophet (Peace Be Upon Him), it is not disrespectful or insulting but if some one is not in accordance with Holy Prophet (Peace Be Upon Him) it is disrespectful and our name for this happy news and pleasure was suggested as 'Mohammad' and later on, the elders and scholars gave guidance that this would proceed with difficulty in the culture of Pakistan, therefore, the words 'Yousaf Ali' were added to my name 'Mohammad' and reference in this regard can be made to the Book 'Madarajul-Nabuwat' Part-I, Page-246.

Allah Almighty has ordained by swearing of his respect and power that He will not punish any body whose name is on the name of Holy Prophet (Peace Be Upon Him). To name oneself with name of Holy Prophet (Peace Be Upon Him) is beneficial and one is put in a protection in this world as well as world to come. In a Hadith it is reported that the person whose name would be 'Mohammad', the Holy Prophet (Peace Be Upon Him) will recommend him for paradise and will make him enter into paradise. On another place, it is reported that the person whose name is 'Mohammad' or 'Ahmad' will not be sent to Hell. We have been posted on some posts in 'Turki' and 'Saudia Arabia'. There, the people used to call us with the first part of name or used to call us with 'Kuniat' (کنیت). Any one of us if goes to Madina Munawara, they will not get your attention by saying 'Oai' (اے) but they will call you with the name 'Mohammad'. This name is most beautiful name of the world. To name oneself with this name or to call with this name is not insolence. Only 'Syed-e-Na-Mohammad-Bin-Abdullah (Peace Be Upon Him) is 'Mohammad Rasool Allah (Peace Be Upon Him). The 'Seerat' (سیرت) of Mohammad (Peace Be Upon Him) explained by any body is like as one drop of water out of seven seas. Even otherwise, no body knows about Holy Prophet (Peace Be Upon Him) more than



Handwritten signature and date at the bottom left: 28/1/2004

Hazrat Siddique Akbar, Razi Allah Tala Anho and Syed-e-Na-Hazrat Ali Karam Allah Wajho.

Were are their thoughts and introduction. ”انفس اُفّاق کی وحدت کے بغیر تو حید نہیں“

If we studies 'Surat Sajda Verse 53' of the Holy Quran and goes behind the words 'Afaaq' (اُفّاق) and 'Annafs' (انفس), its meaning would be that truth (Haq), truth is Haq. According to latest research whatever is the human mind, the access to it is beyond 16 million Noori years and its precy is in the verse of Allama Dr.Mohammad Iqbal, which is as under:-

”خودی ہو مردہ تو مانند گاہ پیش نیم
خودی ہو زلزلہ تو سلطان زلزلہ موجودات
مگر بندہ مومن ہے وراثت سدا
زمین سے تابع نہ پانچ لاکھ مسافت
حریم ذات ہے اس کے نشیمن ابدی
نہ چھو فاکت کھر ہے نہ بڑھ گاہ مسافت“

The Allah Almighty has blessed us Mohammadi to a great extent and its detail is mentioned in writings of Mujadid Alif Sani, Rehmatullah Ale. Through Holy Prophet (Peace Be Upon Him) we have been made the best creature in this world. We were blessed with the followings of Holy Prophet (Peace Be Upon Him), the summary of which is that a mirror was made and it was made possible for every human being. Here we consider proper to explain the three technical terms:-

i) Ibleesiat.

Its precision is to keep the man away from the God Almighty and every body is victim to it, except the sincere. Reference Surat Sooad Verse-83.

And its second meaning is as under:-

”وہ غافل کُن جوورت سے ڈرنا نہیں ذرا
روح شمس کے من سے نکال دو باقی تغیر کا
انجیل . ابلیس کی مجلس شوریٰ . فرعونیت صرف
میں ہیوں باقی کچھ نہیں علم و در ہے“

ii) Mohammadiat.

The way the Holy Prophet (Peace Be Upon Him) is on the peak of Prophethood, in the same way His (Peace Be Upon Him) followers could reach on the peak of man kind. The peak of man-kind is that Alhamdulillah (الحمد لله) i.e there should be no secret in between the Holy Prophet (Peace Be Upon Him) and the man. Alhamdulillah (الحمد لله) we got the same superior status through the courtesy of Holy Prophet (Peace Be Upon Him). The biggest Caliph of Allah Almighty is the Holy Prophet (Peace Be Upon Him). All the Prophets were enlightened with 'Noor' who came on the earth prior to arrival of Holy Prophet (Peace Be Upon Him) but they were called 'Nabi' or 'Rasool' but the Holy Prophet (Peace Be Upon Him) for all times is as the 'Sun'. Small pieces enlightened with 'Noor' of Holy Prophet (Peace Be Upon Him) are called Stars. Either the moon is of 1st or of the 14th, is enlightened by the Sun. In the same way, any one, who is orator or scholar is due to the 'Noor' of the Holy Prophet (Peace Be Upon Him) and its summary is as under:-

دیکھنا اعدای کا دعویٰ میں ٹھکوری
میرے میں یہ شجر میں و شجرانور

The real position is that as per Surat Subha Verse No.78, the real Muslim is that who is Caliph or the Holy Prophet (Peace Be Upon Him), who should be Naib of the Holy Prophet (Peace Be Upon Him), who had contact with the Holy Prophet (Peace Be Upon Him). My God Almighty this be the position, and on the same principle we were blessed with the Caliphate by the Holy Prophet (Peace Be Upon Him).

Alhamdulillah (الحمد لله) this 'Airaaf-e-Faiz' is 'Aitraaf-e-Nemat' (admission of the blessings) and that is not any sort of declaration. Reference from 'Surat Wazah Verse-11'. Under the Sunnah, we have expressed the same and the assignment has been given to us under a great mission, for which we have given the signal and we present its introduction. Infact it is such a blessing, God Forbid (Astaghferullah) where is the claim of Prophethood, whether we have introduced any new Book, whether we have introduced new religion, whether we have caused

changes in the prayers, whether we have caused changes in the religion but infact Mohammad Yousaf is a poor fellow and nothing and leave him for a moment and let us ask some thing from you.

Whether 'Syed Usman-e-Ghani Razi-Allah-Tala-Anho i.e. Zulnoor-Nain is or is not Caliph of Rasool and why he was opposed and why he was murdered and as to whether the persons guilty of such acts were not Muslims.

Whether Syede-Na-Hazrat Ali Razi Allah Tala Anho, beloved of Holy Prophet (Peace Be Upon Him) and husband of Syeda Fatimatuz Zohra, Razi Allah Tala Anha, to whom much respect or 'Shan' was bestowed and for whom the Holy Prophet (Peace Be Upon Him) said that to whom He (Peace Be Upon Him) is 'Maula' and Hazrat Ali, Karam Allah Wajho Anho is also Maula for him and who were those who opposed Hazrat Ali, Karam Allah Wajho and who committed his murder and what treatment was given to 'Imam Hassan Alehay-Salam' and 'Imam Hussain Alehay-Salam' and who were responsible for the incident of 'Karbala' and that as to whether the Holy Prophet (Peace Be Upon Him) declared Hazrat Imam Hussain Alehay-Salam as 'Sardar' of Youth in paradise. Anyhow, the summary is as under:-

رکن نگار خورشید
میرزاخان از غیب جان دیگر است

Any connection, which we have with the Holy Prophet (Peace Be Upon Him) is known to us. Alhamdulillah, He (Peace Be Upon Him) gave us the gift of His Caliphate in the shape of reality of Quran, we have been bestowed with the religious knowledge, told us the solution of the problems not only related to Pakistan but also related to the entire world, our duty is mostly spiritual and some special people some literally things are also told.

We were unknown, who made us known. The allegation against us what we have said 'Anna Mohammad' and when this allegation was levelled it was published in the newspaper and while in speaking and writing it also came as 'Anna Mohammad'. Oh! Man of Allah Almighty kindly differentiate between 'Anna Mohammad (Peace Be Upon Him)' and 'Anna Mohammad' and infact we never called 'Anna Mohammad' alongwith the name and how we could say 'Anna Mohammad' (Peace Be Upon Him). If some one alleges that Mohammad Yousaf Ali after

breaking the sun from the sky has decorated in his room, would it be believable, the devil cannot come in the form of Prophet (Peace Be Upon Him) in dream or in awakening. Except Syed-e-Na-Mohammad (Peace Be Upon Him) no one can say for himself as 'Anna Mohammad'. The persons present in this respectable court should think over whether any Muslim can think to call himself 'Anna Mohammad' and it is the arrangement of Allah Almighty that no body can dare to bring on his tongue as 'Anna Mohammad' for himself and it is the height of elevation (Meraaj) of the tongue that it should recite 'Darood Sharif' on 'Mehboob Rabul Aalameen'. Reference from Surat Baqra Verse No.14 and its beautiful illustration has been made by Mr. Mohammad Ismail Qureshi, Senior Advocate, Supreme Court, in his Book 'Namooos-e-Rasool and Qanoon-e-Toheen-e-Risaalat' page 97. Allah Almighty has not even used one incorrect word with respect to His 'Mehboob' and how it could be possible that he should give the position of His Mehboob to any body else. They why God Almighty is one, in the same why the Holy Prophet (Peace Be Upon Him) is one and the meaning is as under:

” بس انت پر ہوا نیگا دارو رس پر
نہ تھے آغوش میں آیت یوں ہر درخشاں کو ”

My beloved Muslims keep it mind that Bashar (بشر) is only a puppet and 'Fayal-e-Haqeeqi' (فاعل حقیقی) is Allah Almighty. If He is caught hold of 'Nafs-e-Amara' or 'Nafs-e-Lawama', then the 'Iblees' will be at liberty to hount him. If he goes on 'Ahsan-e-Taqveem', then he is to Instrument (Ala-e-Kar) of the Holy Prophet (Peace Be Upon Him) and we are only the Instruments (Ala-e-Kar) of the Holy Prophet (Peace Be Upon Him) and nothing else.

” کہاں کا علم میرا دین کیا عقیدت کیا -
جہاں ہو جو اس میں میری حقیقت کیا
فانی فانی بیستی کی ایک صورت پر
نہاں علم رگداری خوار میں حیدت کیا
میری زندگی کی ابتدا میری زندگی کا
تسلیم اس کے عشق میں ہے ”

بیشکی جوج لاورد

My prayer is that my worldly life should come to an end on the life of the Holy Prophet (Peace Be Upon Him) and the basis of our life is 'Bandagi' (بندگی) and Tabindagi (تابندگی) and output of every thing is the Holy Prophet (Peace Be Upon Him).

”جو صاحبِ منزل سے کچھ کہتا ہے - یہاں نہایت ساری چیزیں ملتی ہیں“

Who will take the company of the Holy Prophet (Peace Be Upon Him) In Halat-e-Islam (حالاتِ اسلام), if he is not a Sahabi, then what else. By the companion of the Holy Prophet

(Peace Be Upon Him) I mean the companion of Mohammad Bin Abdullah Mohammad Rasool Allah (Peace Be Upon Him). Anyhow, on safe precautions, the word of 'Sahabi' was also used for the companions by the leaders of 'Ahl-e-Bayat, and similarly Hazrat Ghosul Azam also used this word in the same sense. Is it not correct that we generally do not call our friends as companions, the meaning of Sahabi is some thing else and the meaning of 'Sahab-e-Rasool (Peace Be Upon Him) is some thing else. Today how many followers of Hazrat Issa Ahele-Salam are in the world but when He was alive what treatment was meted out to him and reference is towards

the Holy Bible, Oxford Publications Page-934.

It is a settled thing that Prophet of the time was denied his position. he was teased indifferent ways and the Prophet of the passed praised. The person, who is blessed with the Caliphate of Holy Prophet (Peace Be Upon Him) he is blessed with many things at one place and on the other while following the path of Holy Prophet (Peace Be Upon Him) he has to suffer many things. The Allah Almighty is witness to it that Mohammad Yousaf Ahasan in no way, said himself Nabi or Rasool or Rasool Allah. The personality of the world who has guided us i.e. 'Nisbat-e-Mohammadia', which we possess that has given us a great strength and has given us protection, it is not a declaration but it is 'Hadiah-e-Tashakur' (تحفہ), that no act of ourselves is against the 'Sunnat. There are many secrets which we cannot disclose. Our duty is not only to win this case but also our duty is to say 'Kalimatullah' and serve the humanity, and may be 'Takht' or 'Takhtta' (تختہ). We are not begging for any thing, death is a great blessing for us. It is a rescue from the prison of the body and return to one's original home. But we are asking this question to ourselves that my dears that before raising such a great dispute as per the last 'Ruku' (رکوع) Surat Noor, permission was sought from the Holy Prophet (Peace Be Upon Him). If you see us with good opinion, the case will come to an end just now. Is it not ordained in

'Surat Hujraat' that to think badly is a great sin. We have explained the definition of 'Urootulwusqa' and for proof it that this is Hazoor(Peace Be Upon Him). With the permission of the Hon'ble Judge, we draw the attention towards 'Khutbaat Khatam-e-Nabuwat' Part-III by Maulana Mohammad Ismail Shujaabadi, the complainant of this case and the preface of his Book and the other marks. It is given in the preamble that the 'Khalifur -Rasool Billa Fasal starting from Hazrat Abubakar Siddique, Razi Allah Tala Anho, Khwaja Khwajgaan Hazrat Khan Mohammad, God Almighty may forgive for the sake of Holy Prophet (Peace Be Upon Him) bestows us the blessing of true repentance. Whatever is 'Shr' (**شر**) give us awareness of the same and bestows us with the power to save from the same. Allah Almighty may save us from every Fitna (**فتنة**). Allah Almighty may save us from the fire of the Hell, punishment by way of water, save the boundaries of our country, convert Muslims into one nation, , instead hatred teach us love for each other, love in the 'Noor-e-Toheed (**نور توہید**) love in the pleasure of 'Risalat', love in the way of 'Quran', love in the secret of Sunnat and bestows us that we should get upon the real spirit of verses of Allama Dr.Mohammad Iqbal, which is as under -

در آفت عشق سے ہر لہر کو جلا کر دو
 دہریل میں عشق کو سے اچال کر دو
 الحمد للہ رب العالمین . صدوۃ و اولاد علی خاتم النبیین
 صدوۃ و اولاد علیہ السلام . صدوۃ و اولاد رسول اللہ
 صدوۃ و اولاد علیہ السلام . صدوۃ و اولاد رسول اللہ

At this stage, court time is over.

R.O & A.C.
 14-7-2000.

18-7-2000. Statement of Mohammad Yousaf Ali,
 accused. Recalled on oath.

I produce documents Exh.DL, Exh.DM and Exh. DN, Exh.DO, Exh.DP, Exh.DQ,
 Exh.DR, Exh.DS, Exh.DT, Exh.DU,Exh.DV, Exh.DW,Exh.DX,Exh.DY,Exh.DZ,Exh.D/AA,
 Exh.D/BB,Exh.D/DD, Exh.D/FF,Exh.D/GG and Exh.D/HH.

XXXXX By the learned counsel for the complainant.

Alhamadulillah it is correct that I had been staying in Madina Munawara. I had been staying there since 5th of July, 1977 intermittently. I never wrote any letter to any one in Pakistan from Madina Munawara except my own family members. It is incorrect to suggest that I had been posing myself as 'Ali', as 'Yousaf' and as 'Faqeer'. It is incorrect that I had been posing for myself as 'Ali', as 'Yousaf', and as 'Faqeer' in Pakistan as well as in Madina Munawara. It is correct that the Book Exh.DQ titled as 'Taaluq' has been written by me. It is correct that my name as 'Abul Hasnain Mohammad Yousaf Ali' is written on this book. It is correct that at page 11 of this book, I have written my name as 'Ali'. Volunteers that 'Ali' is my name. I have simply heard about Syed Masood Raza. Volunteers that my audience are in thousands. I cannot say if the Book titled as 'Ali Nama' was presented to me by Syed Masood Raza. I had been offering the 'Darood' in my Mehfiles, which is as under:-

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
 اللَّهُمَّ صَلِّ وَسَلِّمْ عَلَى سَيِّدِنَا مُحَمَّدٍ
 وَعَلَى آلِهِ وَصَحْبِهِ أَجْمَعِينَ

Volunteers that the offering of 'Darood-e-Ibrahimi' is mandatory for the all the Muslims but the Muslims had been offering the other 'Darood' as well on the Holy Prophet (Peace Be Upon Him). It is incorrect that I wrote the preface of Book titled as 'Ali Nama' printed in the year of Edition 1995 (Exh.P-14). It is incorrect that I was present in Madina Munawar on 12th of Rabius Sani, 1415 Hijri. It is incorrect to suggest that at the end of preface, I wrote my name as 'Faqeer'. I have no read the Book titled as 'Ali Nama' written by Syed Masood Raza (Exh.P-14). I have no followers nor 'Murids' nor I am known as 'kAl-Mehboob-ul-Waheed Imam-e-Waqt-Insan-e-Kamil-Key-Parto', amongst my followers. It is incorrect that my followers address me as 'Meray Hazrat Syed-e- Mujuddat' and it is incorrect that this Book 'Ali Nama' has been dedicated to me. Volunteers that I have my audience in abundance and I have no concern with the words by which I am addressed by those.

No body in my presence called me with the names, as mentioned above, nor I felt any necessity to stop any body.

It is correct that I have been contributing articles to the Magazine known as Fameer-e-Millat- with few exceptions. I have written the Article with the title 'Imam-e-Waqt' in

Magazine in 'Tameer-e-Millat' with few exceptions. I have written the Article with the title 'Imam-e-Waqt' in Magazine in 'Tameer-e-Millat' with few exceptions. Volunteers that until 1994 every article was written by me, and thereafter I used to ask my friends to write my articles because of pain in my hand. It is correct that I have written an Article titled as 'Syed-e-Mujddat Imam-e-Waqt' in Magazine 'Tameer-e-Waqt' on 15-12-1995. Volunteers that this Article was got written by me. I cannot tell the name of my any friend to whom I dictated the above mentioned Article and who got it published in the Magazine. It might be that the poetry produced in my Article has been same as that of 'Ali Nama'. Volunteers that there is possibility that my poetry had been produced in 'Ali Nama'.

I do not know 'Hazrat Abdul Waheed Mir Sajid.' Volunteers that I have heard about him. I have seen the Book written by him with the titled 'Bang-e-Qalandri'. It is correct that the dedication Exh.P-15 has been given in the book 'Bang-e-Qalandri' Exh.P-16. I have not written the Article titled as 'Theseen-e-Husan-Shan' as Exh.P-17 in the Book Exh.P-16. The 'Darood', as mentioned above, is also written in this Book Exh.P-16. Volunteers that in my speeches I had been offering this 'Darood', which is as under:-

والحمد لله رب العالمين
صلى الله على النبي وآله وصحبه وسلم
السلام على وسلم وبارك على سيدنا محمد وآله بقدر حسن وجمال

I was not in Pakistan on 'Shab-e-Meraj 27 Rajbul-Murajjab, 1413 Hijri, to the best of my knowledge. It is incorrect that the address under this Article Exh.P-17 is that of mine. I cannot say that the poetry given in the Book Exh.P-16 is same as given in 'Ali Nama' Exh. P-14. I have read the couplet Exh.P-18 many a times, which is as under:-

زب کجی بھی دیکھا ہے عالم نو میں دیکھا ہے
مرحطہ نبوی زب کی شفا سانی کا

It is correct that I have referred the couplet, as mentioned above, in my Articles published in Magazine 'Tameer-e-Millat'. When I came in Pakistan in 1993, I was shown this Book Exh.P-16, but I could not understand this poetry because Urdu was little bit known to me. I was born in a

village near Jaranwala but I do not remember the name of the village. My date of birth officially recorded is 1st of August, 1949 but I do not remember my actual date of birth. I started my education in a School at Jaranwala. I did Matriculation in a School at Jaranwala. I was born in the month of 'Shabaan'. I never told my date of birth as '9th Rabbiul-Awwal'. The date of birth of our Holy Prophet (Peace Be Upon Him) is told as 12th Rabbiul-Awwal and 9th Rabbiul Awwal. Volunteers that I have my difference on these dates and I am of the view that both could be correct or are correct.,

(At this stage, court time is over.

R.O. & A.C.
18-7-2000.

19-7-2000.

Statement of Mohammad Yousaf Ali,
accused. (Recalled on oath.)

XXXXX

By learned counsel for the complainant.

I got primary education in a School at Jaranwala. We had shifted from the village to City Jaranwala. I do not remember the name of the village. The date 1st August, 1949 was written in the Admission Form presented in the School for primary education. The Form was filled by my elders. The medium of education was 'Urdu'. I was student of the Science, so 'Urdu' was an elective subject. Arabic was also included as 'Optional subject'. Preliminary poetry of the poet was included in the subject of 'Urdu', including Allama Mohammad Iqbal. I do not remember the other poets. After Matriculation, I got education in Government College, Lahore. I studied in Government College, Lahore upto B.A Honour Part-I and thereafter I joined the Pakistan Army, again said the Defence Services. I passed my Matriculation in the year 1963. I joined the Defence Services in 1966. I passed Intermediate (F.A) Examination in the year 1965. I passed B.A Honour Part-I in the end of 1966. Dr. Nazir Ahmed (late) was the Principal of Government College, Lahore and then Professor Rashid was the Principal of the College. Psychology, Islamic Studies, English (Compulsory) Arabic (Optional) were my subjects in F.A. I did BA. Honour Part-I in Psychology. I have lost my educational Certificates, even Passport and ?Visa etc., when there was an incident of setting my house on fire. My luggage is lying here and there, therefore, I cannot collect as to where my above mentioned documents are lying. My

house, again said there was an attempt to set my house on fire in the month of April, 1997. It was just an attempt due to which my family shifted to different places. My family shifted my household articles containing the documents, as mentioned above. I did not lodge any report with the police with regard to an attempt of setting my house on fire. Volunteers that since I was confined in the jail, so I could not lodge the report. However, the incident was reported in the newspaper and when the jail authorities inquired from me, where upon I replied if there is any sort of enmity it should travel to me but it should not travel to the family of 'Ahle-e-Mohammad (Peace Be Upon Him)'. When the incident of attempt of setting my house on fire took place, I was in the jail but my family members including my wife, were present in the house. My wife is educated. Since I have no house, even at present, therefore, I do not know as to where the household articles are lying. Even at present, I am residing at different places with my friends. I have no personal house at Lahore. It is correct that I stayed in 15-C GOR-III, Shadman, Lahore. I permitted Abdul

Waheed Mir Sajid to use any address for my residence in his Book (Exh.P-16). I had been meeting with Abdul Waheed Mir Sajid, Writer of Book (Exh.P-16).

I have heard about Anjad Sharif Qazi. The address given as '105-M, Gulberg-III, Lahore' is not my residence. I have never addressed Mr. Anjad Sharif Qazi as 'Usman Ghani'. Mohammad Ali Abubakar (PW) might have stayed in the house of Mr. Anjad Sharif Qazi on basis of his own contact at the time of convening the World Assembly. It is incorrect that Mr. Masood Raza, Writer of the Book 'Ali Nama' Exh. (P-14) is out of my companions. Volunteers that he is out of my audience. I had participated in the marriage of Masood Raza performed on 26-12-1995. I do not remember if Anjad Shjarif Qazi, Group Captain Anjad Ali, Athar Iqbal, Sohail Zia and Yousaf Raza were present in the said marriage ceremony. I do not know Group Captain Anjad Ali in person. I have heard the poem 'A' to 'A' as being the portion and portion 'B' to 'B' of the poem Exh.P-19 written by Syed Masood Raza in his Book 'Ali Nama'. I have read the above mentioned poem. There is not even a single word objectionable in this poem. Volunteers that in support of my this contention, I refer page 175 portion 'C' to 'C' of the Book (Exh.D/II) titled as 'Khutbaat Khatam-e-Nabuwwat' written by Maulana Mohammad Ismail Shujaabadi, complainant of this case and that whatsoever the love and affection is offered for the name of Holy Prophet (Peace Be Upon Him) there can be no objection over it. Moreover, I present

portion 'D' to 'D' at page 35 of Book 'Al-Imdad' (Exh.D/JJ) written by Maulana Ashraf Ali Thanvi and page 87 'E' to 'E' of Book titled as 'Khoon Key Ansoo' (Exh.D'KK) written by Allama Mushtaq Ahmed.

At this stage, learned counsel for complainant has raised the objection that the documents, as mentioned above (books) cannot be exhibited as and when the volunteered portion of the accused is recorded.

This objection shall be examined at the stage of arguments. Anyhow, learned counsel for complainant shall be given time so that he could also cross-examine the accused.

XXXXX By learned counsel for complainant.

I have heard the poem portion 'F' to 'F' of Book titled as 'Ali Nama' written by Syed Masood Raza just now in the court. I have heard the poem portion 'G' to 'G' of Book Ali Nama, as mentioned above, just now in the court. Both the poems 'F' to 'F' and 'G' to 'G' apparently are objectionable. Volunteers that my reply be recorded in the form of a verse as

Under:-

” زنگنه تو ایستاده ای در راه،
مگر در دست یوگیا کوئی خراب یوگیا ”

I do not know the name of the Poet of this verse. I do not know Maulana Ashraf Ali Thanvi but I have read his few Articles. I do not personally know Maulana Ahmed Raza Khan Brailvi. I do not believe on religion. Volunteers that I proceed on 'Deen-e-Islam'. I have never said that I am follower of Hazrat Ghosul-Azam. Volunteers that I am the follower of Holy Prophet (Peace Be Upon Him) only. I believe that the religion of Hazrat Ghosul-Azam is correct. Again said instead of religion the word 'Deen' be written.

My father was Jeweller as well as Cultivator. First of all his shop of Jewellery was in Lahore and then was shifted to Jaranwala. My father was owner of the property, the detail of which is not known to me, but he has distributed the same when I was child. My father left no property for us, except one house which was given to one sister. I joined the Defence Services in the year 1966. I remained in the Defence Services till 1977. My designation was Captain, last held in the Defence Services. My source of income was the salary of a Captain but I do not

remember any detail in this regard at present. Another source of income was the property inherited by my wife. The residence bearing No.218-Q in the Defence is neither owned by me nor by my wife. However, I had resided there. It is incorrect that my service was dismissed in the Defence. Volunteers that I had resigned. It is incorrect to suggest that I was dismissed from the service on basis of serious charges. As being the Captain, my Number in the Defence Services was PSS-11741. Volunteers that my name recorded in the Defence Services was 'Yousaf Ali Nadeem'. The house known as 'Jannat-e-Tayyaba' was situated in 218-Q, the Defence, Lahore. It is incorrect that the said house was got purchased by Mohammad Ali Abubakar (PW). It is correct that the above mentioned house has been sold. I have not sold this house but it has been sold by its owner. It is correct that the owner of the house was my wife.

I do not remember as to where I was on 03-1-1996. So far the draft Mark 'A' for an amount of rupees three lacs is concerned, the amount is mine but the draft was sent by Mohammad Ali Abubakar. So far the second draft Mark 'B' for an amount of rupees five lacs is concerned, my reply is same that the amount was mine but it was sent by Mohammad Ali Abubakar (PW) from Karachi to Lahore. So far the draft Mark 'C' is concerned, my reply is same that the amount was mine but it was sent by Mohammad Ali Abubakar (PW) from Karachi to Lahore. Similarly, in case of draft Mark 'D' my reply is same that the amount was mine but it was despatched by Mohammad Ali Abubakar (PW). It is incorrect that the dollars for an amount of Rs.20,950/- were encashed by Mohammad Ali Abubakar and he paid this amount to me at Karachi. It is correct that the Air-Conditioner about which the receipt Mark 'F' is on the record was gifted to me. Volunteers that this Air-Conditioner was purchased from some amount and this amount was gifted by me to Mohammad Ali Abubakar.

(After a short break, to come up at 11.00 a.m)

R.O 7 A.C.
19-7-2000.

19-7-2000 Statement of Mohammad Yousaf Ali,
accused. (Recalled on oath).

XXXXX By learned counsel for the complainant.

I do not know as to which price was received by my wife for sale of the house. My

selected the name 'Mohammad' for me but later on it was called as 'Mohammad Yousaf

Ali'. In the School Certificate as 'Yousaf Ali' was written. My name as 'Yousaf Ali Nadeem' was written in the Admission Form for the College. Similarly, my name as 'Yousaf Ali Nadeem' was written in my service record. It is incorrect that there is no resignation in the Defence Services. My father was Rajput by caste. Volunteers that Syed Rajput. Since I was called by 'Murshid in Madina Munawara, so I tendered resignation from service. I did not mention this fact in the application for resignation. I wrote in my application that I have to work in accordance with the instructions of my mother. Volunteers as under:-

میرزا یوسف علی بن محمد کو جمعیت ہے
 حضور پاک صلی اللہ علیہ وآلہ وسلم کے معاملہ میں میرے ذاتی قصے
 جو کہ میں نے یہ ہیں نہیں کہہ سکتا

I have not written 'Faqeer' for myself except at one stage. I had a meeting with 'Zia-ul-Haq', late President of Pakistan. In the presence of Mr. Justice Qafoos, again said the meeting was alone with Zia-ul-Haq and later on when I met to Mr. Justice Qafoos, Qudratullah, Shahab and Nazir Ahmed, Advocate, Faqeer Abdul Mannan, Ex-Principal Secretary Quaid-e-Azam and since I was the youngest, so in order to show my humility I called myself 'Faqeer Mohammad Yousaf Ali'. I had called myself as 'Faqeer' any where or written as such. It is correct that I have called myself as 'Maskeen' and 'Faqeer' in my statement before this court. Volunteers as under:-

حضور نبی اکرم صلی اللہ علیہ وآلہ وسلم کی سنت مبارک پر
 چلتے ہوئے الفقور غفری اپنی عاجزی اور سچائی کا یہ کہنا ہے کہ
 وہی بات کرنا اگے سے اور رہنا ناگ سے ہے

It is correct that I have stated before this court that this 'Faqeer' is performing his duty. It is correct that I have written as 'Faqeer' for myself in letter Exh.DM addressed to this court. It is further correct that I have written as 'Faqeer' many a times in the above mentioned letter. Volunteers that there are many persons in the world who write for themselves as 'Faqeer' to show their submissiveness. My statement that I never wrote 'Faqeer' for myself except one and that I wrote 'Faqeer' for myself repeatedly in the documents and in the statement

before this court, both are correct, as both are in different meanings. It is correct that the document Exh.DL is the Certificate relating to the spiritual aspect awarded to me by the Holy Prophet (Peace Be Upon Him) as the Holy Prophet (Peace Be Upon Him) awards Spiritual Certificate of this nature. It is correct that in the document Exh.DL, the sentence 'Khalif-e-Azam Hazoor Syed-e-Na-Mohammad (Peace Be Upon Him) Ka-Khalif-e-Azam Hazrat Imam (Al Sheikh) Abu Ali-Mohammad Yousaf Ali) is the 'Laqab' awarded to me by the Holy Prophet (Peace Be Upon Him). Volunteers that in accordance with Surat Hajj Verse No.78, every Muslim after all efforts should prove himself as 'Khalifa' of Holy Prophet (Peace Be Upon Him) subject to His confirmation. It is correct that the portion "M" to "M" is the part and parcel of document Exh.DL. This 'Shahadat' has been awarded to us by Hazrat Abdullah Shah Ghazi and this Shahadat has also been given by the other Aulia-e-Karam. All Aulia-e-Karam are alive and this Shahadat has been awarded by them. I cannot say that this Shahadat has been given by the 'Aulia-e-Karam at the instance of our Holy Prophet (Peace Be Upon Him) or not. The Portion "N" to "N", as given in document Exh.DL, is Alhamdulillah correct and it is for me. I know 'English', 'Urdu', 'Punjabi', little 'Arabic', little 'Persian' and the language of 'love'. The language of love means the love and affection if awarded to any body by the Holy Prophet (Peace Be Upon Him). It is correct that I am expert in Philosophy, Psychology, Modern Science or in any other subject nor I have learnt these subjects through Books except that I have been tutored by the Holy Prophet (Peace Be Upon Him) and the knowledge like mirror, as referred in page No.175 of the Book titled 'Khutbat-e-Nabuwat (Exh.D/II) compiled by Maulana Mohammad Ismail Shujabadi, which I mean as under:-

در سوره این جلال
چاند این جلال
فد سببان جلال
کار جوہر انتقال
ملک یہ کہ انسان بن
ایندہ جلال

'Ana-Madinatul-Ilam-Wa-Ali-Babuha, announced by the Holy Prophet (Peace Be Upon Him) is the part of Hadith and it is correct. I have not studied 'Hakama-ul-Ishraq' in Philosophy. Volunteers that there is no knowledge of the mirror and that the mirror has only to reflect. It is correct that I had been staying in Europe. I have not heard the name of Averor. The meaning of supreme wisdom, as used in document Exh.DL is that I am nothing. I have not read the Book as 'Kitabul'Tawaseen'. It may be correct that just by chance I have referred the said Book in my statement before this court. I do not know Dr.Mycinu. I do not know Hussain-ibne-Mansoor exactly but I have heard about him. I have heard that Hussain Ibne-Mansoor is also known as 'Hallaj. It is incorrect that he was hanged. Volunteers that his body was cut into pieces and he was killed in the way. I have not dictated for myself as 'Ahl-e-Bayat' but I wish so. Volunteers that every 'Mutaqqi' is 'Ahl-e-Rasool(Peace Be Upon Him). Taqva' is defined in Surat Baqra Verses No. 3 and 4' The meaning of 'Mutaqqi' is also given of Verses of Surat Baqra, referred by me. There is difference in between 'Ahle-Rasool (Peace Be Upon Him) and Ahle-e-Bayat-e-Rasool (Peace Be Upon Him). The children of the Holy Prophet (Peace Be Upon Him) are 'Aal-e-Mohammad (Peace Be Upon Him) while 'Aal-e-Resool (Peace Be Upon Him) means all 'Mutaqqi' people. It is correct that I have stated that that the Sahaba means the companion. It is correct that the family members can be called as 'Ahle-e-Bayat. Volunteers that 'Ahl-e-Bayat is Rasool (Peace Be Upon Him) is different terminology and simple 'Ahl-e-Bayat' is different. It is correct that my name by birth was 'Mohammad' but later on my parents got written the name as 'Yousaf Ali, in the Admission Form of the School and also in the College. My name as 'Yousaf Ali Nadeem' was written in the 9th Class and since it was difficult to have changed the name, therefore, my name as 'Yousaf Ali Nadeem' was written upto my service record. As soon as I left the service, I got my name corrected as 'Mohammad Yousaf Ali' It is correct that my name as 'Yousaf Ali Nadeem' used to be written in the College. The word 'Nadeem' was added in my name in 9th Class. My name as 'Yousaf Ali Nadeem' has been written in the Matriculation Certificate and simply 'Yousaf Ali' was written in the Primary Certificate. No one can as being the person write 'Sallaho Alhe-Wassalam ()' over the name Mohammad if the name Mohammad is part of the name of any person. It is correct that in the documents Exh. DL and DM I have written my name as 'Mohammad Yousaf Ali'.

At this stage, there is a dispute that as to whether any fluid has been used in the document Exh.DL and DM over the name of 'Mohammad' to override 'Sallaho Alhe-Wassalam' the abbreviation written on the name of 'Mohammad', on which the learned defence counsel has shown the original documents in their custody but by the mirror (Magnified Glass) if seen carefully there appears the use of fluid but this dispute shall be resolved later on at the stage of arguments and whatsoever the original documents are, those shall remain with the accused as same have not been produced on the last date.

Upon a request of the learned defence counsel this fact is also brought on record that on the last date the originals of Exh.DL and DM were returned to the learned defence counsel.

(The remaining statement of the accused shall be recorded on the next date)

R.O & A.C.
19-7-2000.

**Statement of Mohammad Yousaf Ali,
accused. (Recalled on oath.)**

XXXXX By learned counsel for the complainant.

Through Hazrat Abdullah Shah Ghazi Rehmatullah-Ale, I know that all Aolia-e-Karam have verified this Certificate Exh DL. Apparently and physically Hazrat Abdullah Shah Ghazi has passed away. The shrine of Hazrat Abdullah Shah Ghazi is in Karachi. I do not know the date or the period with regard to the passing away of Hazrat Abdullah Shah Ghazi. Prior to the information, as mentioned by me, as above, I had no knowledge about 'Silsila-e-Tasawuf' of Hazrat Abdullah Shah Ghazi as to where he is connected. Hazrat Abdullah Shah Ghazi informed me about the contents of the Certificate Exh DL indirectly. It was my spiritual experience and I was on receiving end. I received Certificate Exh.DL directly from the Holy Prophet (Peace Be Upon Him) but it was verified indirectly by the 'Aolia-e-Karam' through Hazrat Abdullah Shah Ghazi. Volunteers that this Certificate was received spiritually and I cannot tell the details in this regard. I had received the document Exh.DL spiritually and I cannot tell its detail that as to whether I received document Exh.DL, either typed or un-typed. It is correct that document Exh.DL is computerised/typed document. I had got this document Exh.DL computerised/typed

from Islamabad. It is correct that whatsoever is feeded to the Computer, it may be returned in the shape of a document. It is correct that there may be a change in feeding of the Computer and receiving of the document if some change is caused therein. Definitely the verification (tasdeeq) of Hazrat Sheikh Abdul Qadir Jilani, Imam-e-Aolia would be included in the verification as explained by me. Since I was informed that its verification is from all Aolia, therefore, the verification by Hazrat Junaid Bughdadi, Syed -e-Taifa, is also included therein. I am not aware of all Sufic-orders. Volunteers that since I had received training directly from the Holy Prophet (Peace Be Upon Him), therefore, I have no contact with the 'Aolia-e-Karam. It is correct that first of all Hazrat Adam Alah-e-Salam was bestowed with Khilafat. Volunteers that the Khilafat bestowed to Hazrat Adam Alah-e-Salam bestowed to the Prophets upto Hazrat Issa Alah-e-Salam was khilafat of Hazoor Mohammad Nabiul Ummi (Peace Be Upon Him). After the 'Wisaal' of the Holy Prophet (Peace Be Upon Him) the Khilafat went to 'Khulfa-e-Rashideen' and first of all to Hazrat Abubakar Siddique Razi Allah Tala Anho. I do not know the details of Khilafat bestowed to Hazrat Abubakar Siddique Razi Allah Tala Anho. I do not know if Hazrat Abubakar Siddique Razi Allah Tala after receiving the Khilafat called himself 'Khalif-tur-Rasool'. I do not know the details to 'Khutba' delivered in the 'Masjid-e-Nabwi' by Hazrat Abubakar Siddique Razi Allah Tala Anho. Volunteers that I obey all 'Khulfa-e-Rashideen' but my way to follow them is through the Holy Book and Holy Prophet (Peace Be Upon Him), therefore, I do not involve myself in the historic disputes. It is correct that after Holy Book and Holy Prophet (Peace Be Upon Him) it is mandatory for every Muslim to follow 'Khulfa-e-Rashideen'. Volunteers that when I was young, I found that there were many differences in the thoughts, therefore, I could not understand as to which school of thought should be followed, therefore, I prayed before the Holy Prophet (Peace Be Upon Him) to guide me and the passages for this guidance were either 'Zohad' or 'Ishq', so for 'Zohad' is concerned it means to go upstairs while touching each step and so far 'Ishq' is concerned, it means direct approach, therefore, I opted for 'Ishq' with Holy Prophet (Peace Be Upon Him) And in order to re-produce my thoughts, I rely on pages 86 and 87 of Book 'Maktoobaat-Imam-e-Rabbani' (Exh DLL) written by Hazrat Mujadid Alif-Sani, Rehmatullah-Ale. The indirect way of 'Zohad' is proved by 'Surat-e-Al-Naqabbot' Verse No 69 and the way of 'Ishq' is proved vide Surat Shura Verse 13. I have no read the Book Exh DLL, but I had searched

میں نے جو کچھ لکھا ہے وہ سب سچ ہے

the references out of it for my version. I do not know the philosophy 'Whedat-Aiz-Shood' described in the book Exh.DLL. Volunteers that I have confined myself to the terminology explained in Quran and Sunnah. It is incorrect that all 'Ulma-e-Karam' have no knowledge about 'Deen' and that all 'Sufia-e-Karam' have no knowledge about Soofiism. Volunteers that while making statement us/ 342 Cr P C I had confined myself towards only one 'Maulvi', who got this case registered. It is correct that the 'Tasawwaf' is under the subordination of 'Shariat'. It is further correct that 'Tariqat' is also under the subordination of 'Shariat'. It is correct that the source for 'Shariat' is Holy Quran and Sunnah. It is correct that without following the 'Shariat-e-Mohammadi' no one can claim love and affection with the Holy Prophet (Peace Be Upon Him). After Holy Quran, Hadith-e-Rasool (Peace Be Upon Him) are source of 'Shariat' and it is correct that if any one goes beyond Quran and Sunnah, it cannot be called 'Shariat'. I do not know the Writer of document Exh.DL, I know as to who had typed this document (Exh.DL) but I cannot tell his name. It is incorrect that since I do not know the name who typed document Exh.DL, therefore am not telling his name. I have not shown document Exh.DL to any audience in my mosque or in my 'Majlis'. I have received this document (Exh.DL) about forty days earlier, in typed form. I have produced this document before this court to satisfy this court. Volunteers that the spiritual Khilafat was bestowed to me by the Holy Prophet (Peace Be Upon Him) on 29-8-1991. This document Exh.DL was not communicated to me in the year 1991. I have no personal Library. The books, which are being produced in the court are available in the Bazar and that I have also collected from my friends. The Book titled as 'Taaluuq' has been written by me while the book titled as 'Mard-e-Kamil' is not written by me nor got published by me. I do not know Mohammad Ashraf Ali, Publisher of the Book titled as 'Mard-e-Kamil-Ka-Waseeat-nama'. I have not read the Book titled as 'Mard-e-Kamil Exh.P-20.

I had tendered resignation in accordance with the guidance/order given by the Holy Prophet (Peace Be Upon Him). I started writing my name as 'Mohammad Yousaf Ali, after 5th July, 1977 and after completing all legal requirements. It is correct that the Book titled as 'Taaluuq' was published in the year 1984. It is correct that I wrote my name as 'Ali' only in the Book titled as 'Taaluuq' Exh.P21. Volunteers that I could write any portion of my full name. Volunteers that on the first page of (title page) of the said Book my full name as 'Mohammad

'Yousaf Ali' is written. I only used the word or name 'Ali' in my pen-friendship or while writing the poems and infact 'Ali' is my pen-name.

(The remaining statement shall be recorded at 2.00 p.m today)

R.O & A.C.
20-7-2000.

Statement of Mohammad Yousaf Ali,
accused. Recalled on oath.



XXXXX By the learned counsel for the complainant.

I know 'Siha Sitta' which are six in number. Sahi Bokhari Sharif, Sahi Muslim Sharif, Mota Imam Malik and others, and also Musnat Imam Ahmed Bin Hambal, Abu Dawood and Tirmizi Sharif. I have stated about 'Siha Sitta', which are in my knowledge. I have not studied Hadith on the line the question has been put to me by the learned counsel for the complainant and I cannot say with certainty that as to whether Mota Imam Maalik is included in 'Siha Sitta' or not. Volunteers that I have much regard for all sorts of collection of Hadith. It is correct that I have heard the Hadiths put by the learned counsel for the complainant, which are as under:-

ذات نامہ مدینہ الہیم دہلی بابا
نامہ نادر دار حاکمہ و علی بابا
(امام بکری و ابو یوسف)
امام مالک الحافظ عبد اللہ بن یحییٰ
ذات نامہ دار حاکمہ و علی بابا
(نہر مذکور شریف)

Hadith referred by me in my statement are not mentioned in 'Siha Sitta'. It is correct that 'Siha Sitta' are admitted to be correct and valid by all school of thoughts. The sentence written under the title of the Book 'Taaluq' (Exh.P-21) from portion 'H' to 'H' has been written by me which is as under:-

"ذات سے کائنات تک یکجہتی نیابت اور سراج
کا اصلی حقیقی اور غلطی تقاضا"

It is correct that on 'Rubai' of Allama Mohammad Iqbal from portion 'I' to 'I' the said Book has been written in my book titled as 'Taaluuq'. It is incorrect that I got it written by some one. Volunteers that I myself liked it. Volunteers that I refer Surat Ahzaab Verse 21 in this regard. It is correct that preface of the Book (P21) is similar to the preface in Book titled as "Mard-e-Kamil (P-20) . Volunteers that I have no connection with the printing of the Book 'Mard-e-Kamil' but whatsoever is written in this Book, in accordance with my Book 'Taaluuq', I own that. It is correct that the Articles Exh.P-22, P-23, and P-24 were got published by me in daily 'Pakistan' but these are printed with a photo stat machine due to which there are some additions in the Articles, which are not mine. Portions 'A' to 'A', "B" to "B" and "C" to "C", signed by my counsel in Exh.P-22, P-23 and P-24 are not mine, so these are exaggerations and that Column No.3 is missing from Article Exh.P-22, P-23 and P-24. Whatsoever I wrote in the book known as 'Taaluuq' published in the year 1984 is the knowledge bestowed by the Holy Prophet (Peace Be Upon Him). I do not think so that I have command over 'Urdu' and Persian' languages in the year 1984, in my personal capacity. I understand the meaning of the poetry recorded in my book "Taaluuq". All the 'Darood Sharif' narrated by learned counsel for complainant is correct and after reciting the same what could be any sin behind me. The 'Darood Sharif' recited by the learned counsel for the complainant forgiveness of the sins can be read, narrated and heard at any moment and that no time or mode of offering is fixed and this 'Darood Sharif' for the blessing of Allah Almighty and the Holy Prophet (Peace Be Upon Him) can be read at any moment. 'Baqadr-e-Husna-e-Hi-' means all sorts of beauty in the world is for the Holy Prophet (Peace Be Upon Him), and all sorts of beauty and 'Noor' in the world are because of the Holy Prophet (Peace Be Upon Him) and the 'Husan', 'Noor', 'kamal' and 'jamaal' of Holy Prophet (Peace Be Upon Him) are beyond description.

Court time is over now. The remaining statement shall be recorded on the next date.

R.O & A.C.
20-7-2000.

21-7-2000. Statement of Mohammad Yousaf Ali,
accused. Recalled on oath.

9/8/2000

XXXXX By learned counsel for the complainant.

'Alif, Laam and Meem' are abbreviative words of Noble Holy Quran. There are fourteen abbreviative words in the Holy Quran. I cannot say without reference that the fourteen abbreviations are secret in between Allah Almighty and the Holy Prophet (Peace Be Upon Him). I do not know if Hazrat Ibn-e- Abbas Razi Allah Tala Anho' had narrated the meanings of these abbreviations. Volunteers that first of all Holy Quran and Ahle-Bayat are relevant for me to follow but I have much regard and respect of those who follow the Holy Quran and Sunnah. It is correct that in accordance with the Hadith, the Holy Prophet (Peace Be Upon Him) also said that I left two things, one is Holy Quran and the other is 'Sunnah'. The message recorded on document Exh.DL is my letter-pad. The word 'Mohammad' (Peace Be Upon Him) on the one upper side of document Exh.DL is not seal of the Holy Prophet (Peace Be Upon Him) but it is the 'Isme-Mubarik' (Holy Name) of Holy Prophet (Peace Be Upon Him).

Note.

"The above mentioned reply has been given by the accused after some interference by his counsel and they are advised to remain silent while the answer is being given by the accused himself, who is competent."

XXXXX By learned counsel for complainant.

I remained in Madina Munawara from 1977 to 1993 with intervals because I had to go Europe, America as well. I am not aware that Arabic is the language of 'Ahl-e-Jannat'. It is not essential that 'Aolia-e-Karam' would have knowledge of Arabic, and in support of my this view, I refer to page No.13 of the Book titled as ' Secret of Secrets' of Hazrat Abdul-Qadir Jilani' Exh.DMM, which is photo copy of pages 13,14,15 ,16 and 17 of the said Book. It is correct that the Book, as mentioned above, is not written by Hazrat Abdul Qadir Jilani Rehmatullah Ale, but it is translated by some one, by 'Sheikh Tosun Bayrak Al-Jerrahi Al-Halveti'. It is incorrect that the Book 'The Secret of the Secrets is not translation of the book written by Hazrat Abdul Qadir Jilani, Rehmatullah Ale. The Book titled as 'The Secret of Secrets' is translation.

Note.

On the title page of the Book, instead of the word translation, the word interpreted by Sheikh Tosun Bayrak Al-Jerrahi Al-Halveti is written.'

XXXXX**By learned counsel for the complainant.**

It is correct that in pages Exh.13,14,15,16 and 17 , as mentioned above, it is not mentioned that the Arabic language is not essential to be known by 'Aulia-e-Karam'. It is my personal affair, so I cannot tell that as to whether I had been receiving the spiritual messages from Holy Prophet (Peace Be Upon Him) either in Arabic or in English. It is also my personal affair that as to in which language the 'Aulia-e-Karam' conveyed their messages to me, therefore, I cannot tell the language. Even, I cannot tell the detail of the verification portion "M" to "M" of Exh.DL so far the language is concerned. Similarly, I cannot tell the language in which the message portion "N" to "N" in Exh.DL was received by me. I cannot say that I know English better than other languages. It is correct that the message recorded in the upper portion of document Exh.DL portion "K" to "K" is mine and also of my Committee and I am responsible for it. It is correct that I know the meaning of the word 'Amplitude' used in portion "K" to "K" of document Exh.DL. I know the meaning of the word 'Amplitude' as 'Amplitude'. I know the meaning of the word 'Resurrect' used in portion "K" to "K" as 'Resurrect' in English. I do now know the meaning of 'Resurrect' in this way that of raising from the dead and I cannot deny the dictionary meaning. Volunteers that the meaning of this word 'Resurrect' in my mind is Verse No.17 of Surat Yaseen. It is incorrect that neither I know English nor Urdu nor Arabic nor Punjabi. Exh.DL is a manufactured document. It is incorrect to suggest that I manufactured Exh.DL just to grab money from the innocent persons and also from those who have very little knowledge of the religion. It is incorrect to suggest that under the garb of this document Exh.DL I Have extorted millions of rupees from the innocent persons. It is incorrect to suggest that I have extorted money from Mohammad Ali Abubakar, Brig. Dr.Mohammad Aslam, Rana Mohammad Akram, Sajid Munir Dar and others. I never posed to be 'Imam' in the past. It is incorrect that I have posed to be 'Imam-e-Waqt'. The word 'Imam' written in document Exh.DL is not from my side but this word has been bestowed by the Holy Prophet (Peace Be Upon Him). I myself did not



سید
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declare myself 'Khalif-e-Azam'. When Allah Almighty blessed me with son I started writing 'Abul-Hasnain alongwith my name as the name of my son was Hasnain. It is correct that the word 'Hasnain' being plural is used for Hazrat Hassan and Hazrat Hussain' Alahe-Salam. It is incorrect that I have made 'World Assembly'. I own the constitution/making of the World Assembly'. It is correct that my name as 'Abul Hasnain Mohammad Yousaf Ali' is printed in the document Exh.DN relating to 'World Assembly' for Muslim unity but is not written by me nor printed by me, however, I own this document Exh.DN. It is correct that the entire speech as given in Exh.DN is word by word mine except the Arabic portion, which is written by Suti Barkat Ali, Rehmatullah Ale of Salaarwalay. I did not ask the prosecution witnesses to offer sacrifice like sacrifice in Karbala'. Volunteers that when I delivered the speech in Exh.DN, there was no mention of the prosecution witnesses. I have been made 'Director General' of the 'World Assembly'. I cannot tell the number of Members of this 'World Assembly'. I cannot tell the details of the Board of the Directors. The manifesto of the World Assembly is given in the document Exh.DN. Volunteers that the World Assembly is the modern name of 'Silsil-e-Haqeeqat-e-Mohammadia'. It is incorrect that through this World Assembly I am trying to enforce 'Khalifat-e-Uzma'. Khilafat is alive. It is correct that I wish renaissance of 'Khalifat-e- Ala Minhaj-ul-Nabua (Aman-e-Alam)'. Minhaj-ul-Nabua means to follow the Holy Prophet (Peace Be Upon Him) in letter and spirit. The Holy Prophet (Peace be Upon Him) established khilafat on His Manhaj on those days and even now the Holy Prophet (Peace Be Upon Him) shall establish the same 'Khailafat' while I am nothing. It is correct that I have received the 'Laqab' of 'Khalif-e-Azam'. It is correct that 'Khilafat-e-Rashida' was also on 'Minhajul-Nabua'. I cannot tell the details of the members of the Assembly. It is incorrect that I have shown as if the Heads of the States and the high Dignitaries are the members of this Organisation. It is incorrect that I have made 'Majlis-e-Shoora' of the World Assembly. Even I have not stated in my speech Exh.DN that I have made any 'Majlis-e-Shoora' of the World Assembly. I had shown my determination but on guidance later on I dropped this idea. It is correct that the document Mark -4 was attached by me alongwith my application under Section 265-K Cr.P.C dated 24-9-1999 Exh. P-25. The Invitation Mark 'H' was not issued by me. It is correct that the Monogram of 'Kalma-Tayyaba in Mark 'H' and the

Book P-21 is same. Volunteers that I obtained the Monogram from Hafiz Mohammad Yousaf

Siddique, Ex-Katib of daily 'Imroze' and any one can also obtain this. I was appointed as Ambassador besides other appointments. I was appointed as Ambassador by the World Organisation of Saudi Arabia. I cannot tell the details of this Organisation due to my oath/promise with them. I was Ambassador of the country T.F.S.K (Turkish-Federated-States of Kibris)

(The remaining statement shall be recorded on the next date)

R.O & A.C.

21-7-2000.

24-7-2000.

Statement of Mohammad Yousaf Ali,

accused. Recalled on oath.

XXXXX

By the learned counsel for complainant.

It is incorrect that the profile Mark -I submitted before this Court and Profile Exh P-26 are different because both one and same thing except that there is an addition of 'Kalma Tayyaba' in Arabic. It is correct that the profile submitted before this court is consisting of two pages while the profile submitted before Hon'ble Lahore High Court is consisting of three pages. Volunteers that there is no difference except of spacing of typing. It is correct that the Ambassador is appointed by one State for another State. It is correct that the Saudia Arabia Government had not appointed me as Ambassador for Cyprus. Volunteers, that this appointment was not in the political capacity. It is incorrect that I gave an impression that I have been appointed as Ambassador by the Saudi Arabia Government. Volunteers that I was appointed as Ambassador by the Muslim Umma. At present, I have no proof with me that I have been appointed as Ambassador by the 'Muslim Umma'. Volunteers that I have contacted to all concerned to have a contact with the concerned authority and as soon as I receive any proof I shall produce the same in the court. I have already stated that I cannot disclose the name of the World Organisation in Saudi Arabia, which appointed me as Ambassador.

It is correct that it is ordered in Surat Baqra Verse No.283 that evidence regarding dealings shall not be concealed and if there is an act of concealment it shall be a sin on the part of

the Muslim. It is incorrect that in Surat Baqra Verse No.140 the concealment of the evidence in general has been condemned. Volunteers that the essence of this verse is that the 'Shahadat-e-Haq' shall not be concealed. It is correct that I have done Master of Arts in Islamic Studies from the Punjab University. I correctly stated that I did B.A (Honour Part-I) in Psychology. I do not remember the year when I did M.A in Islamic Studies. I can produce my Certificate after search. I stated about doing of B.A Honours when I joined the Army and I continued my studies. So I did Islamiyat later on. I did M.A prior to 1978. I learnt Tafseer Quran-bil-Quran from the Holy Prophet (Peace Be Upon Him) and Tafseer Quran-bil-Sunnah from different Teachers, including 'Ahl-e-Bayat Rasool' (Peace Be Upon Him). I run my business alongwith one 'Mohammad Akmal' resident of Madina Sharif and my business is that of Cloth I invested about twenty five lacs in the business. Whosoever invites me in USA and England he sends the ticket for my travel. The subject to technocracy in 'Majlis-e-Shoora' was the study of Islamic knowledge, International affairs, application of Holy Quran, that is the reality of Holy Quran according to modern requirements. I have studied all religious as Tafseer of 'Surat Kaferoon'. I have studied 'Boodhism' and 'Hinduism' in accordance with Tafseer of 'Surat Kaferoon. I do not know the name of the person in Hinduism, who introduced Sufi-ism in their religion. Volunteers that I have studied 'Hinduism' in accordance with 'Surat Kaferoon'. In 'Yahudiat' the dominating factor is the law while in Christianity dominating factor is love of God. So far religion Islam is concerned the dominating factor in it is that love with the Allah Almighty combined with the love of any loyalty to Holy Prophet (Peace Be Upon Him). It is correct partially that 'Yahoodiat' is based upon Race, while Islam is based upon humanity. It is incorrect that 'World Assembly of Muslim Youth and that 'Rabta-e-Aalam-e-Islami' are only two Organisations in Saudi Arabia. The third Organization in Saudi Arabia is 'Darul Ifta' and there are some other Organization which names I do not remember at present. It is correct that 'Fazeelat-us-Sheikh Abdul Aziz Bibi Baaz' is the Head of this Darul Ifta'. It is incorrect that 'Darul Ifta' is not an Organisation but it is part of Government Department on religious side. I know Dr.Ahmed Mohammad Tontongi to some extent. I have much respect and love with Dr.Ahmed Mohammed Totongi but I am not his disciple. It is incorrect that he was Secretary General. Volunteers that he was Assistant Secretary General. I do not know Dr.Manehi Al-Johani. I do not know that Dr. Amanehi Johani is Secretary

Genral of World Youth Assembly and also holding a very high office in religious department of Saudi Arabia, at present. It is correct that in accordance with document Exh.P-27, Dr. Manehi Aljohani is Secretary General of 'World Assembly of Muslim Youth. Volunteers otherwise I do not know. Maulana Abul-Hassan Nadvi is my indirect Teacher through his books. I can refer his book 'Tareekh-e-Davat-e-Azeemat'. This book is relating to some 'Azeem Mujahideen' great personalities' great scholars, who did Islamic work. It is incorrect that 'Maulana Modoodi Sahib' is my direct teacher in the teachings of Holy Quran but he is my direct teacher in Islamic Movements. It is correct that Maulana Modoodi Sahib is my Teacher in subject of Islami Government. It is correct that I have mentioned in the profile that General Zia-ul-Haq was my direct teacher. He was my teacher in respect of Patience and respect towards poor people and hospitality. I know the teachings of Allam Dr. Mohammad Iqbal through his ideology, thinking, philosophy but all these things through his books. Volunteers that only through his book 'Kulyat-e-Iqbal' in Urdu and 'Kulyat-e-Iqbal in Persian, in portions, and also that material which is not contradicted to Islam. I have not studied his 6th Lectures. The piece of poetry of Allama Mohammad Iqbal out of 'Kulyat-e-Iqbal' asked to me is not complete or correctly read, therefore, I cannot tell the meaning of the same. I do not know the meaning of piece of poetry of Allama Mohammad Iqbal, which is as under:-

” ساحر المودفہ نچو کو جا بگر حشیش
اور نور ہے طہر سجا سے شاح نبات “

Volunteers that I am confined to the study of Holy Prophet (Peace Be Upon Him) I fully agree with the 'falsafa' of 'Khudi', as given by Allama Mohammad Iqbal. So far my study is concerned, 'Khudi' is not 'falsafa' but it is reality (Haqeeat). I feel Allama Mohammad Iqbal to be correct when he expresses his views about 'Khudi' and also those Sufis who talk about their 'Bekhudi'. Volunteers that when Sufia talk 'Bekhudi' they mean 'Asflasafeen' Surat Ateen Verse No.5 and when Iqbal talks about 'Khudi', he means 'Alsan-e-Taqveem' Verse No 4 Surat-Ateen'. I have not read 'Tawaseen' written by Hussain bin Mansoor Hallaj. A few persons (young) who come

alongwith me in the court daily have no concern with the World Assembly directly but they come alongwith me as of love. I have not studied the Book 'Secret of Secrets' in original, which is in Arabic named as 'Sir-ul-Israr'. I have studied the book 'Sir-ur-Israr' in English written by Hazrat Ghosul Azam and some portions of 'Ghuniat-ul-Talibeen'. This later book relates to General Subjects of Sharia. I do not remember the other book written by Hazrat Ghosul Azam. I have not studied the Book 'Fatu-ul-Ghaib'. I do not agree with writer 'Abdul Majid Daryabaadi' and I believe that book 'Sir-ul-Israr' is written by Hazrat Ghosul-Azam. It is incorrect to suggest that the Surats of Holy Quran referred to by me are not relevant to the questions put by the learned counsel for the complainant. I do not belong to 'Malmatia- sect. I do not know if 'Sarmad' was belonging to 'Malmatia' sect. I do not know if Sarmad was in love with Hindu young boy and he was shifted from Dheli to some other place and thereafter he had been announcing 'Mun Khuda', 'Mun 'Khuda', 'Mun 'Khudayan' and that the was produced before Aurangziab and he was executed for announcement of these words.

I do not know if there are two sects of 'Soharwerdia school of thought. I do not know if 'Sheikh Shahab-ud-Din Maqtool of Soharwerdia school of thought was hanged for using the words insulting towards Allah Almighty and Islam and that I do not know another name 'Sheikh Shahab-ud-Din Soharwerdi, who is fonder of Soharwerdia school of thought.

I am prepared to get my speech recorded before this court for comparison. I do not know as to which is the abbreviation of D.N.A, which I have referred in my statement. However, I agree on explaining the meaning of the D.NA. by the learned counsel for the complainant and it could be 'Deoxyriovo-Nulic-Acid. I do not remember the name of the Scientists or the group of Scientists, who claim that it has been claimed that Holy Quran has been recorded in D.N.A. Volunteers that I read so in the Internet from USA and I can produce the document in this regard and I also refer Surat Rehman Verses 1,2 and 3 and Allama Mohammad Iqbal, already explained by me. It is correct that DNA is a Test, as a consequence of which in case of refusal there can be a comparison of blood as it happened in the matter of Sita White and Imran Khan. Volunteers that this is also a fact on the record that when Hazrat Imam Hussain Alhe-Salam was martyred and his head was hanged on the 'Neza', every drop of blood was reciting the

Holy Quran i.e Called 'Nat-e-qe-Quran'. In my opinion 'Ziarat' is some thing else and 'to see' is some thing else, therefore, the Holy Prophet (Peace Be Upon Him) was also seen by Abujahal and also by Hazrat Abubakar Sidique Razi Allah Tala Anho. In my opinion, any person, who has 'Ziarat' of Holy Prophet (Peace Be Upon Him) cannot involve himself in any sin and that he is 'Mehfooz' therefore, I do not know that such claim was made by 'Halaaj' and 'Sarmad' as well. I have not read the book of life written by a group of Scientists of Britain and dedicated to the Human Genome Project. I do not know if they claim to have changed the entire genes of the world. Volunteers that however the nature of human cannot be changed and I refer to Surat Bani Israel Verse No.84. I have not read the book Exh.DR completely produced by me. Diary (Exh. P-8/1-116) is not mine nor it has been written by me nor I agree with it whatever is stated in it. It is incorrect that I have got written the above mentioned diary and I circulated it in my followers. It is incorrect that the contents of this diary Exh.P-8/1-116 finds reference in my Columns written as 'tameer-e-Millat' in daily 'Pakistan'. It is incorrect to suggest that I have spoken the contents of diary (P-8/1-116) before the prosecution witnesses. I do not know if some portions of book 'Secret of Secrets' have been incorporated in diary (P-8/1-116). It is incorrect to suggest that I claimed for myself as 'Anna Mohammad' in presence of Aslam, PW and that he was garlanded by your followers, who were present there. It is incorrect to suggest that I stated before Pws that Holy Prophet (Peace Be Upon Him) was on duty and that I am on beauty. The words 'Baqadr-e-Husnahe-Jamaalehi' are so beautiful words that cannot be translated. It is incorrect to suggest that I said to Akram, PW, that the life of the Holy Prophet (Peace Be Upon Him) was simple, on this question you said that fourteen hundred years back the traditions were old and now the traditions are modern and that the glamour pomp and show is the need of the day. It is incorrect to suggest that I uttered these words in the house of Abdul Wahid nor Akram PW came there. It is incorrect to suggest that on question of Commodore of Yousaf Siddiqui in presence of Dr. Mohammad Aslam (PW) that from Hazrat Adam Alhe-Salam, and thereafter appearing of the Prophets in different times and also appeared fourteen hundred years back, so what is the difference in dignity of fourteen hundred years back and now and which were more dignified or glorified, you replied that fourteen hundred years back period was glorious but the glory is unprecedented and also you

that time it was on duty but now it is on beauty. It is incorrect to suggest that in the diary

Exh.P-8/1-116 at page 37 Rasool Allah (Peace Be Upon Him) or Mard-e-Kamil (Peace Be Upon Him) is the complete manifestation of Allah Subha-nahu Tala. He (Peace Be Upon Him) is the physical personification of transcendent of Allah and Mohammad (Peace Be Upon Him). all the physical beings have been created due to him. He (Peace Be Upon Him) is always present in the World. His (Peace Be Upon Him) apparent name may be different but His (Peace Be Upon Him) is always Mohammad (Peace Be Upon Him) Adam Alhe-Salam, Nho Aleh-Salam, Moses Alah-e-Salam, Ibrahim Alh-e-Salam, Jesus Alhe-Salam were the names of dresses but in reality each and every one of whom is Mohammad (Peace Be Upon Him), then Mohammad Bin Abdullah that was the first time that each and apparent name became one, then came Abu Bakr Sallaho Alahe Wassalam, Usman Sallaho Alahe Wassalam, Ali Sallaho Alhe Wassalam, 12 Imams Sallaho Alhe Wassalam, some Arabic Sallaho Alhe Wssalam, Abdul Qadir Sallaho Alhe Wassalam, Farid Sallaho Alhe Wasslam, Mujadid Alif Sani Sallaho Alhe Wasslam and Mohammad Yousaf Ali Sallaho Alhe Wassalam, the name of Mard-e-Kamil Sallaho Alhe Wassalam very but in actual. He (Peace Be Upon Him) of glorified form of Mohammad (Peace Be Upon Him) are mine nor written by me. It is incorrect that I had been meeting with Aslam (PW) in person in the house of Abdul Wahid, however, I have seen him. It is incorrect to suggest that in the year 1995 I met Dr.Asam (PW) in the house of Abdul wahid after Maghrib prayer and I said to him that as to what sacrifice he can give in lieu of reality disclosed to him. It is incorrect to suggest that I asked Dr.Asam (PW) to pay an amount of two lacs rupees and in return Dr.Mohammad Aslam refused.

(Remaining statement of accused shall be recorded on the next day)

R.O & A.C.

24-7-2000.

25-7-2000. Statement of Mohammad Yousaf Ali,
accused. Recalled on oath.

XXXXX By the learned counsel for the complainant.

9/8/2000

It is incorrect that I remained as Consulate General of Saudi Arabia Organisation. It is correct that photo copy of letter Exh.P-28 was issued in my favour by the Consulate General of Pakistan, Jeddah. It is incorrect to suggest that the document Exh P-28 is a forged document.

It is incorrect to suggest that in the month of December, 1995, I visited the house of Abdul Wahid, where Dr.Mohammad Aslam informed to have made arrangements of rupees two lacs, on my demand.. It is incorrect to suggest that on the next day I went to the house of Mohammad Aslam (PW) where Aslam (PW) paid me the amount of rupees two lacs. It is incorrect to suggest that on the following Friday I offered prayer of Jumma in the mosque situated in the area where the house of Aslam, PW, is situated. It is incorrect to suggest that after Jumma prayer on the same day, I alongwith my followers came in the house of Aslam, PW, where I offered to disclose the reality as promised and then I stood up and said 'Anna Mohammad' for my self. It is incorrect to suggest that when such assertion was made by me to Dr.Mohammad Aslam, PW he was surprised but my companions put garlands in the neck of the said PW(Mohammad Aslam) in order to congratulate him for meeting with Holy Prophet (Peace Be Upon Him) and thereafter I left the house. It is incorrect to suggest that after a couple of months Commodore Yousaf Siddique put questions to me in presence of Dr.Mohammad Aslam (PW) that from Hazrat Adam Alhe-e-Salam and thereafter appearing of Prophets in different time and also appeared fourteen hundred years back, so what is the difference in dignity of fourteen hundred years back and now, and which of them are more dignified or glorified, whereupon I replied that fourteen hundred years back, period was glorious but the glory is unprecedented and I also said that at that time it was on duty but now it is on beauty. It is incorrect to suggest that in this way I defiled the name of Holy Prophet (Peace Be Upon Him). It is correct that I met Rana Akram, PW, however, it is incorrect that I met him in the house of Abdul wahid in the year 1994 and I delivered a speech that the Holy Prophet (Peace Be Upon Him) is present in the world, even today in the form of human being. It is incorrect to suggest that I claimed for myself to be 'Mohammad' (Peace Be Upon Him). It is incorrect to suggest that in any speech delivered by me I stated that the life of the Holy Prophet (Peace Be Upon Him) was simple and that now the traditions are modern and traditions at that time were old and that glamour, and pomp and show is the need of the day, and

it is also incorrect to suggest that the utterance was made by me in the month of January/February, 1994 in the house of Abdul Wahid. It is also incorrect that I said that if some one could see and if some one could identify the Holy Prophet (Peace Be Upon Him), he was among us. It is incorrect to suggest that the utterance that I made before Rana Mohammad Akram (PW) in the house of Abdul wahid also amount to defiling the sacred name of the Holy Prophet (Peace Be Upon Him). It is incorrect to suggest that in the month of September, 1995 Mohammad Akram Rana, PW, asked me as to whether I am writing 'Tafseer' or 'Tafheem' of Holy ?Quran and requested me to provide him a copy thereof, whereupon I asked the PW as what price he could pay for that. It is incorrect to suggest that I demanded an amount of rupees one lac from Mohammad Akram Rana, PW, for that 'Tafseer'.

I had been visiting USA, UK and else where 'Fi-Sabhi Lillah' in the way of Allah. I had been visiting the above mentioned countries to teach the Holy Quran. I have not said about any Organisation which invited me to foreign countries. My family and my friends had been inviting me to foreign countries. In 1986, Dr.Mohammad Naseer Akhtar invited me to Washington in his personal capacity to attend Islamic Medical Association of America Conference. The invitation was on telephone.

I do not know Mirza Ghulam Ahmed Qadiani nor I wish to know him. I do not know the two groups of "Qadiani Jamaat known as 'Qadiani' and 'Lahori Group. It is incorrect to suggest that the names of Holy Prophet (Peace Be upon Him) are only ninety nine but more than ninety nine. Similarly, the names of Allah Almighty are more than ninety nine but summarised in ninety nine names. I can recite the names of the Holy Prophet (Peace Be Upon Him).

Note.

On direction, the accused Mohammad Yousaf Ali has recited seventeen names of the Holy Prophet (Peace Be Upon Him) correctly and he states that the names of Holy Prophet (Peace Be Upon Him) are more.

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By learned counsel for the complainant.

(The remaining statement of the accused shall be recorded on the next date

R.O & A.C.

25-7-2000.

26-7-2000. Statement of Mohammad Yousaf Ali,
accused, Recalled on oath.

XXXXX By the learned counsel for the complainant.

It is incorrect to suggest that I shortened the amount of rupees one lack to fifty thousand, in presence of your companion, while in the way to Lahore Airport. It is correct to the extent that I was told by my friends that Rana Akram is proceeding for Haj but it is incorrect that I demanded Rs.25,000/- from this PW. It is incorrect to suggest that after receipt of Rs.25,000/- from Rana Akram OW, I said to him that PW Rana Mohammad Akram had come very close to Almighty Allah and I could disclose the reality to him and that PW was taken to another room in the house of Abdul wahid at Clifton Karachi and I asked Rana Akram, PW to close his eyes and recite 'Darood Sharif' and Rana Akram, PW recited Darood Sharif and then I asked him to open his eyes and inquired that as to whether he has seen any thing to which the said PW stated that he saw nothing. It is incorrect to suggest that I embraced Rana Akra, PW and claimed that I am Mohammad Mustafa (Peace Be Upon Him) and I required the PW to conceal this reality as I myself has concealed. In this way I said that this is 'Tafseer-e-Quran, 'Tafheem-e-Quran, 'Noorul Quran' and 'Zinda Quran. It is incorrect to suggest that I by posing myself as Holy Prophet (Peace Be Upon Him) looted the money from different persons including the Pws and in this way I have defiled the name of Holy Prophet (Peace Be Upon Him). It is incorrect to suggest that on 28-2-1997 Hafiz Mohammad Mumtaz Awan and Mian Mohammad Awais, Pws, went to mosque Baitul Raza situated at Chowk Yateemkhana, Lahore to offer Jumma prayer and there I defiled the name of the Holy Prophet (Peace Be Upon Him) and I declared hundreds of the persons present in the mosque as Sahaba and introduced myself as the Holy Prophet (Peace Be Upon Him) in my speech. It is incorrect that Mian Mohammad Awais and Hafiz Mumtaz, Pws, were present in the said congregation, in which I claimed for myself Holy Prophet (Peace Be Upon Him) and out of persons sitting your 'Murids Zaid Zaman and Abdul wahid were declared to be

Sahabis by I and in this way I defiled the Holy Name of Holy Prophet (Peace Be Upon Him) and Sahab-e-Karam Razi Allah Tala Anho. It is incorrect to suggest that on 28-2-1997 in mosque Baitul Raza, situated in Chowk Yateemkhana in the presence of Hafiz Mumtaz and Mian Awais at the time of Jumma prayer, I defiled the name of Holy Prophet (Peace Be Upon Him) and also announced that 100 persons present in the mosque are Sahabis and in this way also defiled the names of 'Sahab-e-Karam, Razi Allah Tala Anho. It is correct to the extent that Mian Abdul Ghaffar, PW met me in my house situated at 218-Q, Defence, Lahore at 2.00 p.m on 22-3-1997 but it is incorrect to suggest that I claimed 'Khilafat-e-Uzma' has been awarded to me by Allah Almighty and 'Khilafat-e-Uzam' was awarded to Prophet Hazrat Adam Alhe-e-Salam, and continued to all the Prophets and now Khilafat-e-Uzma of the Holy Prophet (Peace Be Upon Him) is with me and in this way I claimed myself to be the Holy Prophet (Peace Be Upon Him), and as such have defiled the name of Holy Prophet (Peace Be Upon Him). It is incorrect to suggest that in my speeches made from time to time I declared all the translations of Holy Quran incorrect and defective and mischievous and in this way I have defiled the Holy Quran. It is absolutely incorrect that one Rizwan arranged my meeting with Mohammad Ali Abubakar (PW0 in the month of June, 1997 in the house of Abdul wahid and I called Mohammad Ali Abubakar as 'Abubakar Siddique'. It is incorrect to suggest that I asked to Mohammad Ali Abubakar, PW that there is no need to perform 'Umra' and I can arrange 'Umra' here and I further said to Mohammad Ali Abubakar, PW that 'Makaan' is there and 'Makeen' is here, upon which the said PW was angry and thereafter I allowed him to perform 'Umra'. It is incorrect that I said to Mohammad Ali Abubakar, PW that I can arrange his meeting with Holy Prophet (Peace Be Upon Him) and I had obtained promise of top-most-surrender for myself from Mohammed Ali Abubakar, PW, for his meeting with the Holy Prophet (Peace Be Upon Him) and the said PW replied that whatsoever could be desired by me, he would surrender for the meeting with the Holy Prophet (Peace Be Upon Him). It is incorrect that I asked Mohammad Ali Abubakar, PW to decorate a room in his house for me and whenever I reached from Karachi from Lahore and I would stay there and thereafter I declared the said room 'Ghar-e-Hira'. It is incorrect that I asked Mohammad Ali Abubakar, PW to decorate in his house for your stay in Karachi and I declared that room as 'Ghar-e-Hira' and in this way I have deliberately and maliciously outraged feelings of

the Muslims. It is incorrect that I said to Mohammad Ali Abubakar, PW, that I can arrange his meeting with Holy Prophet (Peace Be Upon Him) and I called the said PW in the said room of his house and asked him to close his eyes and asked him to recite 'Darood Sharif' and when he started reciting 'Darood Sharif' I asked him to open his eyes and when he opened his eyes, I all of a sudden took him in my 'Jhappa' and pronounced that I am "Mohammad (Peace Be Upon Him) on which the PW starting weeping and I kept him in my 'Jhappa' and the said PW came out of the room while shivering, on which my followers, who were sitting outside the room congratulated the said PW on his physical meeting with Holy Prophet (Peace Be Upon Him). It is incorrect to suggest that I have claimed myself as Holy Prophet (Peace Be Upon Him) and thereby I have defiled the Holy Name of Holy Prophet (Peace Be Upon Him). It is incorrect that while sitting in the house of Abdul Wahid, I demanded an amount of rupees fifty lacs rupees from said Mohammad Ali Abubakar, PW, on the pretext of purchasing a house, which the PW paid to me. It is incorrect that I demanded one Air Conditioner from Mohammad Ali Abubakar, PW which he purchased from the market and I installed in my room arranged for myself in the house of Abdul Wahid and I also purchased carpet from Karachi for which the said PW paid an amount of Rs.11,0000/- and the PW also purchased the furniture for the room as I directed him for my stay in Karachi in the house of said PW at Karachi and I brought the furniture at Lahore and this furniture was purchased by PW, for which the said PW paid an amount of Rs.1,50,000/- and in this way I have extorted a huge amount from Mohammad Ali Abubakar, PW. It is incorrect that document Mark 'E' is with regard to the dollars got encashed by Mohammad Ali Abubakar PW and paid to me, an amount of Rs.20,950/-. It is incorrect that receipt Mark 'G' is with regard to the Carpet purchased by Mohammad Ali Abubakar, PW for me and the carpet was handed over to me. It is incorrect to suggest that I extorted a huge amount from Mohammad Abubakar on different times and on different pretexts through the Demand Drafts. It is incorrect that document Exh.P-6 is with regard to the return of amount of rupees twenty four lacs two thousand four hundred and ten and fifty paisas by me to Mohammad Ali Abubakar, PW on his demand, and I also promised to return the remaining amount as well after receiving the same from Madina. It is correct that Mohammad Ali Abubakar, PW paid to me as 'Qarz-e-Hasna' an amount of rupees twenty four lacs and ten thousand. Volunteers that this amount was duly returned by me to

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ابوبکر

Mohammad Ali Abubakar, PW, on my own. It is incorrect to suggest that on paying back the aforesaid amount to Mohammad Ali Abubakar, PW, I admitted all the afro-mentioned transactions between me and Mohammad Ali Abubakar. It is incorrect that in a Majlis of Qawali held in the house of Abdul Wahid, I said that so long the members of Majlis would not see the Holy Prophet (Peace Be Upon Him) no one shall die. It is incorrect that I said to Mohammad Ali Abubakar, PW while he was going to attend Majlis-e-Naat that the person from whom the PW is going is sitting here and restrained him from attending the said 'Majlis-e-Naat' but the PW did not care for my advice and went to attend the Majlis-e-Naat and when the PW came back after attending 'Majlis-e-Naat' I called him in my room and I was too angry with the said PW for disobeying the orders and I said that since the PW has violated the orders, he shall be involved in 'Azab-e-Elahi' and so in this way I also defiled the name of Holy Prophet (Peace Be Upon Him).

It is correct that Mohammad Ali Abubakar attended the marriage ceremony of my daughter on 28-2-1997 but I did not invite him. It is incorrect to suggest that in the meeting of the World Assembly in the mosque 'Baitul Raza' situated at Chowk Yateemkhana, Mohammad Ali Abubakar, PW was invited. It is incorrect that I convened the meeting of World Assembly on 28-2-1997 in the mosque 'Baitul Raza' and also issued Invitation Cards, the photo copy of which is Mark "H" to your followers. It is incorrect that while delivering speech on 28-2-1997 in mosque Baitul Raza I said that as to why I selected mosque Baitul Raza for meeting of World Assembly and why I did not select the Masjid Nabwi and Masjid Haraam and I explained that I selected mosque Baitul Raza for meeting of World Assembly as to why I did not select Masjid-e-Nabwi and Masjid-e-Haraam in the same manner as Ghar-e-Hira was selected by Allah Almighty and I also said that some Surat/Ayat of Holy Quran and even Quran were present there. It is incorrect that while addressing the meeting of World Assembly in the mosque Baitul Raza I said that Holy Prophet (Peace Be Upon Him) is not on duty and it is His 'Atta' that a 'Rasool' is addressing you. It is incorrect to suggest that while addressing the meeting of World Assembly I said that Holy Prophet (Peace Be Upon Him) is not on duty and it is His Atta that a Rasool is addressing you, and thus I defiled the Holy Name of Holy Prophet (Peace Be Upon Him). It is further incorrect to suggest that I called Mohammad Ali Abubakar, PW, from 3rd to 4th row and introduced him as my Sahabi and thus I defiled the Holy Name of Sahab-e-Karam, Razi Allah Tala Anho. It is

incorrect that in the month of December, 1995 after Juma Prayer in the Hujra attached with the mosque Baitul Raza situated in Chowk Yateem-khana, Sohail Zia introduced Sajid Munir Dar, PW to me and Sohail Zia was my Murid. It is incorrect that I said to Sajid Munir Dar that if I arrange his meeting with the Holy Prophet (Peace Be Upon Him) where the PW could have the price for the same or not, upon which the PW replied in affirmative and I said to the said PW that unless he had meeting with the Holy Prophet (Peace Be Upon Him) he would not die, moreover, in the case of meeting all the sins of PW shall be forgiven and he shall not be entered in the Hell and he shall go in 'Jannat' and I asked PW to hand over his golden chain and ring, which the PW gave to me. It is incorrect that on the next day of the said meeting I invited PW Sajid Munir Dar to come to my house situated at 218-Q, Defence, Lahore and the said PW alongwith Sohail Zia came to my house and I took the said PW to my Hujra, established in the house while many other people were sitting in the main Drawing Hall. It is incorrect that while being present in the said Hujra I said that PW is lucky who was going to meet the Holy Prophet (Peace Be Upon Him) and thereafter I said the PW that I am Mohammad (Peace Be Upon Him) and thereafter I embraced him. It is incorrect to suggest that I called Sajid Munir Dar in my house and took him to adjacent Hujra, where I embraced PW claiming and posing myself to be Holy Prophet (Peace Be Upon Him) and in this way I defiled the sacred name of Holy Prophet (Peace Be Upon Him). It is incorrect that during my speeches I called myself as 'Rasool Allah' ” رَسُوْلَ اَللّٰهِ فِيْ كَلِمَاتِهِ ”

“It is incorrect that I recited the Ayat, as mentioned above, before the PW that they shall believe me as resemblance and identical of Holy Prophet (Peace Be Upon Him). It is incorrect that in my speeches I also invited the people to believe as myself pious and identical of the Holy Prophet (Peace Be Upon Him) and if they oppose me their facilities, their wives, their children and even they are required to murder them for his belief and they have to repeat 'Badar' Hunain and repeat 'Karbla' and have to believe me in the same way. It is incorrect to suggest that I declared myself as being resemblance of 'Rasool Allah (Naoozubillah). It is incorrect that I informed Mian Abdul Ghaflar, PW, when I met him in my house that 9th of Rabiul-Awwal is my date of birth and same date of birth is of Holy Prophet (Peace Be Upon Him). It is incorrect that I appealed my followers to say 'Darood Sharif' on me in the hours of distress and clamity as test of your faith as reported in weekly 'Takbeer' Karachi Exh P-1/1-151

It is incorrect that I claimed myself to be continuity of Holy Prophet (Peace Be Upon Him) and appeared in weekly Takbeer Karachi Exh.P-13/1-52. It is incorrect to suggest that I asked my followers, 'Murids' to sacrifice their wives in their noble cause as appeared in weekly 'Takbeer' Karachi Exh.P-1/1-152. It is incorrect that I stated in my speech that Allah Almighty is talking through me which is only attribute the message of Allah that of the Holy Prophet (Peace Be Upon Him) and also declared that the voice of my lips is real Book, meaning thereby 'Alkitaab' the Noble Quran. It is incorrect to suggest that in my speeches I claimed that Allah Almighty is addressing through me and words coming out from my mouth is real Book, which is Alkitaab, Holy Quran and thus I defiled the Holy Quran. It is incorrect that I ascertained about 'enmity', 'Hasad', 'Bughis', 'Tama' and 'Lalach' attributed against the Pws is baseless and unfounded. It is incorrect to suggest that my above statement is false and after thought and is just to save myself from the legal punishment. It is incorrect to suggest that I have committed all the offences levelled against me in the charge. It is incorrect that I am deposing falsely.

It is correct that the Pws used the platform of 'Khatam-e-Nabuwwat' to involve me in this case. Volunteers that I have no enmity with any one but the Pws are being used by the Devil (the only enemy of mine) I had no conflict with Dr.Aslam, PW in the year 1996. Volunteers that he might have jealousy with me and it is my thinking /imagination. It is correct that the denials of the allegations levelled against me were got published by me in daily 'Nawa-e-Waqt', 'Jang' and 'Pakistan'. It is incorrect to say that it was because to save my neck from committing the offence of contempt of Holy Prophet (Peace Be Upon Him) It is incorrect that I claimed myself 'Mard-e-Kamil', 'Imam-e-Waqt', 'Insan-e-Kamil' or 'Resool Allah' and finally as Mohammad (Peace Be Upon Him) It is incorrect to suggest that I staged the drama of my claim to be the Prophet 'Mard-e-Kamil', 'Rasool Allah', 'Insan-e-Kamil' and resemblance of Holy Prophet (Peace Be Upon Him) just to grab huge amount from the innocent and ignorant people and being so on basis of deception, fraud and forgery through documents and speeches. It is incorrect to suggest that in connection with claims I have used the methodology and same track of Mirza Ghulam Ahmed, Qadiani. It is incorrect that I invested an amount of twenty four lacs owned by Mohammad Ali Abubakar, in the business, mentioned by me. It is incorrect that the

press-clipping Exh.P-29 was got published by me in daily 'Pakistan'. Volunteers that since it has been published in my name by the newspaper daily 'Pakistan', therefore, I own it. The press-clipping Exh.P-30 published in daily 'Pakistan' dated 05-3-1995 is that of mine. It is correct that the press-clipping Exh.P-31 of daily 'Pakistan' dated 06-3-1997 is that of mine. It is correct that the press-clipping Exh.P-32 of daily 'Pakistan' dated 07-3-1997 is also mine. It is correct that press-clipping Exh.P-33 of daily Pakistan dated 12-3-1997 is mine. It is correct that press-clipping Exh.P-34 of daily 'Pakistan' of 18-3-1997 is mine.

Note.

Original Newspaper after seeing have been returned to Mr. ... counsel for complainant. As and when required, he shall produce the same in the court.

XXXXX

By learned counsel for the complainant.

I do not know that the press-clipping, as mentioned above, have been reproduced in the book 'Mard-e-Kamil-Ka-Waseat Nama' (Exh.P-20) Book Exh.P-20 is neither arranged nor written by me and the press-clippings, as mentioned above, containing the articles written by me have been published again, therefore, the edition of the Book is that of 1993 and the above mentioned press-clippings were published even prior to 1993 or after 1992 and that my articles were published in daily 'Pakistan'.

COURT QUESTIONS.

It is correct that Video Cassette Mark 'J' was produced by me in the court. I have no objection if it is seen by the Counsels for the parties and the court itself.

At this stage, the learned counsel for the complainant Mr.M.Iqbal Cheema, has arranged V.C.R and T.V. Let this vide film be exhibited in the Chamber of the undersigned.

On display of the video film Mark 'J', I agree that an interview recorded in this video Mark 'J', so far the voice and the photographs are concerned from the very

beginning to the end are that of mine. I do not like to see the Video and Audio Cassettes produced by the prosecution.. However, I have received copies of those Cassettes.

XXXXX By the learned counsel for the complainant.

The interview in Mark 'J' was recorded on 08-2-2000. The interviewers came from U.S.A, again said they were representing the Muslims from USA and U.K but keeping in view the security, I cannot tell their names. It is incorrect to suggest that the interview in Mark 'J' is after thought, the purpose of which is only to negate the prosecution case.

R.O & A.C.

26-7-2000.

Statement of Mohammad Yousaf Ali

accused, without oath.

After producing photo copies of documents, Exh.DNN, , Exh.DOO, Exh. DPP, Exh.DQQ, Exh.DRR, Exh.DSS, Exh.DTT, Exh.DUU, Exh. DVV, Exh. DWW, Exh.DXX, Exh.DYY, Exh.DZZ, Exh. DAAA, Exh.DBBB, Exh.DCCC, Exh.DDDD, Exh.DEEE, Exh.DFFF, Exh.DGGG, Exh.DHHH, Exh.DIII (1-19) AND Exh.DJJJ(1-6), I close the defence evidence.]

At this stage, the learned District Attorney, assisted by learned counsel for the complainant raised the objection that the above documents produced by the accused, are the product of fraud and forgery and that since document Exh.DVV is a photo copy, it is not admissible in evidence. These objections shall be examined at the stage of final arguments.

These objections shall be examined at the stage of final arguments.

The original documents seen and returned to the accused.

R.O & A..C

26-7-200.

15. Then the accused after producing the documents, as mentioned above, closed his defence evidence.

9/8/2000

16.

Out of the documents produced by Yousaf, accused, the document Exh.DL is very important for the decision of the case, so the contents of this document are reproduced as under:-

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

مَحْمُود

He who conquers himself conquers the world. The renewal of the principles of Islam in their fullest amplitude is the first step towards the renaissance of Muslims; for only he who has become resurrected in 'THE TRUTH' 'ALL HAQ' can resurrect and revive the world around him.

ALLAH SUBHANAHU WATA'ALA

KHALIFA-E-AZAM

HAZOOR SAYYIDNA

MUHAMMED SALLAHO ALAHE WAALEHE WSSALAM

K

KHALIFA-E-AZAM

HAZRAT IMAM (SHAYKH)

UBU

A.H. MUHEMMED YUSUF ALI

Hum Kamil Tasleem aur Tasdeeq K sath Shahadat Detay Hain.

Alhamdolillah, He sees everything as from Allah Subhanahu wa Ta'la, does every thing for Allah's sake, and attributes nothing to any created being including himself. What he says, he does Compliments or criticism, benefit or loss are same to him. His knowledge is all encompassing and his wisdom supreme. He considers the one who knows and does not apply his knowledge is no better than a donkey carrying heavy load of books.



17. At the close of trial, I heard Rana Mohammad Aslam Awais, learned District Attorney for State, assisted by Mr. Mohammad Ismail Qureshi, Mr. M. Iqbal Cheema and Mr. Ghulam Mustafa Chaudhary, learned counsel for the complainant, and Mr. Saleem Abdur Rehman and Miss Rukhsana Lone, learned counsels for Mohammad Yousaf Ali, accused. I have also scanned the entire record produced before me.

18. The learned District Attorney, assisted by learned counsel for the complainant, after reading the entire prosecution evidence, mainly argued that the mere delay in lodging the FIR in a sensitive case is no ground to reject the prosecution case; that the evidence of the prosecution in the shape of Audio & Video Cassettes and the transcripts are admissible in evidence keeping in view the provisions of Articles 164 of 'Qanoon-e-Shahadat Order' and in this case the Video Cassette was seen by the learned defence counsel and he confirmed the voices and photographs in toto in the Video Cassette and that now the accused has also himself provided the Video Cassette (Mark "J") to the court, which, despite refusal by the accused for comparison, is available for comparison and the output of the comparison would show that the voice and the photographs are same in the Audio and the Video Cassettes produced by the prosecution. Therefore, on the basis of the prosecution evidence, oral as well as documentary, the charges against the accused stand proved. They added that Yousaf, accused, claimed for himself 'Anna Muhammad', which means that he claimed for himself to be an 'Apostle' like our Holy Prophet (Peace Be Upon Him) and in fact he proceeded in the same way as 'Mirza Ghulam Ahmed Qadiani' is being very loyal to the religion of Islam diverted himself after having some followers and thereafter claimed for himself as 'Masih Moud', 'Wali Ullah' and even the 'Prophet'. The learned District Attorney also pointed out that on specific allegations as attracted in the charges, Yousaf, accused, through his counsel, failed to put specific suggestions concerning with the allegations directly, therefore, it means that he admitted the prosecution case because failure to cross-examine a witness tantamounts to admission of the fact

19. The learned District Attorney, assisted by learned counsels for complainant, referred to the cases reported in PLD 1985 Karach-229, PLD 1984 Lahore-484, 1997 SCMR-632, PLD 1991 FSC-10 pages 26, PLD 1994 Lahore-485, 488,491,505 ,509, 514, 1971 P.Cr.L.J-602 (Lahore), 1987 P.Cr.L.J-1204 (Lahore), AIR 1936 Peshawar, 106, PLJ 1990 CrI. Cases (Karachi) 340, 1995 P.Cr.L.J 459 (Peshawar), All England Law Reports 1965 page 464, 1995 MLD-1486 (Lahore), PLD 1985 (Karachi) 229, The Book titled 'Khitabaat-e-Khatam-e-Nabuwat' written by Maulana.Mohammad Ismail Shuja Abadi, (Mutbani Kazaab Aor Toheen-e-Ambia) page 249, The Book titled 'Majmooa Alhamaat Tazkara Hazrat Masih Moud Alhe Salam' written by Jalal-ud-Din Shamas, pages 102, 276, 396 and 620, Black's Law Dictionary page 311 (corroborating evidence), Laws Lexicon page 538 (Correctness of order), Sahi Al-Bokhari Narrated By Abu Hurrera, Razi Alla Tala Anho, Hadith 9.122 , The Book 'Sirur Israr', written by Hazrat Sheikh Abdul Qadir Jillani, Rehmatullah Ale, page-223 and the Book titled 'Qadiani Mazhab Ka Ilmi Mohasba' written by Professor Mohammad Ilyas Barni pages 253,258,260,265 and 267, in support of their arguments.

20. The learned defence counsels Mr.Saleem Abdur Rehman and Miss Rukhsana Lone, Advocates, opposed the arguments advanced by the prosecution and submitted that there is inordinate delay in lodging the FIR, which has remained unexplained by the prosecution; that the evidence of the prosecution is worth no reliance; that the Audio and Video Cassettes and their transcripts are tampered documents. Even otherwise, this piece of evidence is not admissible in evidence keeping in view the provisions of Articles 164 of Qanoon-e-Shahadat Order; that the pages of diary are photo copies, so in absence of the expert or the Writer, this piece of evidence cannot be relied upon; that Magazine 'Takbeer' has been brought on record but its author has not been produced, therefore, at each step the prosecution evidence is full of doubts, there are additions and omissions in the statements of prosecution witnesses but because of enmity jealousy and greed appeared against the accused and being so the accused is entitled to

benefit of doubt. They also threw light on the defence version reflected in the statements of the accused and the documentary evidence. They referred to the cases reported in 1995 MLD 1485, AIR 1964 S.C-72, 1987 MLD 2425, PLD 1984(Lahore)-67, PLD1998 (S.C)109, 1974 PLD (Lahore) 452, PLD 1979 (S.C) AJK-78, PLD 1970 SC-10, PLD 1964 (S.C)-81, PLD 1996 (Lahore)406, 1996 P.Cr.L.J-1076, 1993 S.C-1405, AIR 1951 Calcutta-133 and 581, 1993 SCMR-153, 1995 MLD -667 , PLD 1991 FSC-10, 1983 P.Cr.L.J-823, PLD 1963 SC-17, PLD 1963 (Karachi)-76, 1974 P.Cr.L.J-400, PLD 1964 S.C-26, 1993, SCMR-550, 1989 P.Cr.L.J 1956, PLD 1994 (Lahore) 485 and PLD 1964 S.C-26 in support of their arguments.

21. The accused, through his counsel, have also referred to the Books, the detail of which is as under:-

- i) 'Ziarat-e-Nabi-Bahalat-e-Bedari', written by Mr.Mohammad Abdul Majeed Siddiquei, Advocate, page -6 and 52, ii) 'Abe Hayat' writeen by Maulana Mohammad Qasim Nanotvi page-2, iii) 'Armaghan-e-Shah-Waliullah ' Written by Professor Mohammad Sarwar, page 281, iv) 'Zikr-e-Jamil', written by Maulana Mohammad Shafi Okarvi, pages 105 & 111, 'v) 'Madarj-e-Nabuwat', written by Hazrat Allama Sheikh Abdul Haq, pages 654, 781, 788, 1050, 1052, 1057, 1058, 1063, 1067, 1071, 1072, 1074, 1076 and 1077, vi) 'Sir-e-Dil-Biran' writeen by Hazrat Shah Syed Mohammad Zoqi pages, 37, 39, 73, 75 and 293, vii) 'Maktubat-e-Imam-e-Rabbani' wirten by Hazrat Mohadas Alif Sani,translated in 'Urdu' by Maulana Mohammad Saeed Ahmed Naqshbandi, pages 524, 548 and 622, viii) 'Mazhar-e-Jamal-e-Mustafi' written by Sufi Syed Nasir-ud-Din Hashmi, pages Alif, , 51, 145 and 162, ix) 'Shariat-o- Tariqat' written by Hazrat Maulana Shah Ashraf Ali Thanvi, pages 117, 354, 368 and 420, x) 'Ganjina Darood Sharif' written by Mohammad Aslam Naqshbandi page 197, xi) 'Al-Imdad' written by Mr.Rafiq Ahmed (Exh.DJJ) page 35, xii) 'Khitabaat-e-Khatam-e-Nabuwwat' written by Maulana Mohammad Ismail Shaujaabadi, page 175, xiii)'Maktooba-e-Imam-e-Rabbani' written by Hazrat Mujadid Alif Sani , translated in 'Urdu' by Maulana Mohammad Saeed Ahmed Naqshbandi, pages 87, 95, 117, 141 and

162, xiv) 'Khoon-key-Ansoo' written by Hakim-e-Mashriq Allama Mushtaq Ahmed Nizami, page 87, xv) 'Khazane-e-Marfat', written by Hazrat Mohammad Ibrahim Kasuri pages 3, 347, 388 and 392, xvi) 'Maktobat-e-Imam-e-Rabbani' written by Hazrat Alif Sani, translated in 'Urdu' by Maulana Mohammad Saeed Ahmed Naqshbandi, pages 51, 63, 87, 141, 144 and 148, xvii) 'Al-Hariq-ul-Makhtoom', written by Maulana Safi-ur-Rehman Mubarikpuri, pages 83 and 616, xviii) 'Sirat-e-Ghos-e-Azam' written by Hazrat Maulana Abdul Rahim Khan Qadri, pages 63 and 199, xix) 'Rozatul Qayyumia' written by Hazrat Khsaja Mohammad Ehsan, pages 171, 173, 175, 178 and 288, xx) 'Qisre Arfan' written by Sheikh Maulvi Ahmed Ali Chishti, pages 14, 54 and 58, xxi) 'Maktoobat-e-Imam-e-Rabbani' written by Hazrat Mujadid Alif Sani, translated in 'Urdu' by Hazrat Mohammad Saeed Ahmed, pages 42, 44, 104 and 113, xxii) 'Tabeerul Roovia,' written by Allama Ibne Sireen, page 78 and xxiii) 'Sahi Bokhari' translated by Hazrat Maulana Waheed-uz-Zaman, pages 80 and 82.

22. Basically the point for examination is that as to what is the faith of a 'Muslim'. The faith of a 'Muslim' is the Holy Kalma, which means that there is no God (no one is worthy of worship and obedience), save one God and Muhammad (Peace Be Upon Him) is His Messenger. Actually the meaning of Holy Kalma, in other words, is a confession which is gate-way to Islam. But any one who repeats the confession mechanically, by deceitful means or by diverting any thing out of it towards him cannot be called a 'Muslim'. This confession consists of two parts, the first part (Lailaha Illallah) contains the affirmation of the oneness of God. It means that no one except the Almighty is worthy of worship and obedience. Infact it means Allah Almighty is the True King (Saccha Badshah), whose names are as under:-

1. Allah 2. Arrheman 3. Arrahim 4. Almaliko 5. Alqudoos, 6. Assalam, 7. Almomino 8. Almohemeno 9. Alazizo 10. Aljabbaro 11. Almutakbiro 12. Alkhaliqo 13. Albario 14. Almusawwiro 15. AlGhaffaro 16. AlQaharo 17. Alwahabo 18. Alrazzaqo 19. Alfataho 20. Alalcemo 21. Alqabizo 22. Albasito 23. Alhalizo 24. Arrafeo

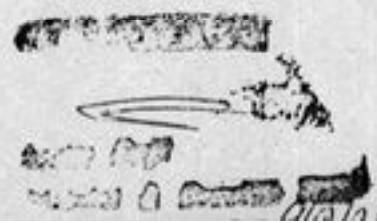
25. Almoizo 26. Almozillo 27. Alsamio 28. Albasiro 29. Alhakimo 30.
 Aladalo 31. Allatifo 32. Alkhabiro 33. Alhalimo 34. Alazeenio 35.
 Alghafooro 36. Alshakooro 37. Alalio 38. Alkabiro 39. Alhafizo 40.
 Almoqito 41. Alhasecho 42. Aljalilo 43. Alkarimo 44. Arraqibo 45.
 Almojibo 46. Alwasio 47. Alhakeemo 48. Alwadoodo 49. Almajeedo
 50. Albaiso 51. Alshaheedo 52. Alhaqqo 53. Alwakeelo 54. Alqavio
 55. Almateeno 56. Alwalio 57. Alhameedo 58. Almhoso 59.
 Almobdio 60. Almoeedo 61. Almohee 62. Almomito 63. Alhayeeo.
 64. Alqayyumo 65. Alwajido 66. Almajido 67. Alwahido 68. Alahado
 69. Assamdo 70. Alqadiro 71. Almuqtadiro 72. Almuqaddimo 73.
 Almokhiro 74. Alawwalo 75. Alakhiro 76. Alzahiro 77. Albatino 78.
 Alwalio 79. Almotaali 80. Albarro 81. Attawabo 82. Almuntaqimo 83.
 Alafuo 84. Alraufu 85. Malikomulk 86. Zuljala-e-wal-Ikram 87.
 Almuqsito 88. Aljamio 89. Alghanio 90. Almughlio 91. Almoti 92.
 Almanio 93. Addaro 94. Annafco 95. Annooro 96. Alhadio 97.
 Albadio 98. Albaqio 99. Alwariso 100. Arrashido and 101 Alsaburo.

Meaningng thereby that He Alone is Supreme.

The second part of Kalma consisted of (Mohammadur Rasool Allah) that

Mohammad (Peace Be Upon Him) is the Messenger of Allah Almighty. So Prophet Mohammad (Peace Be Upon Him) is the Apostle of God Almighty and it means that He (Peace Be Upon Him) was raised up by Almighty for the guidance of the World and whatever he taught or preached like the divinity of the origin of the Quran, the existence of the angles, certainty of the last day, the resurrection, the Judgment, the award of Heaven and Hell according to one's deed on the earth was hundred percent true and authentic. Allah Almighty made many pictures, in other words, sent His Apostles for Nations and for Societies but last picture Prophet Mohammad (Peace Be Upon Him) was declared by Allah Almighty as 'Mehboob-e-Khuda', whose names are as under:-

سیدنا محمد
 23.



1. Muhammadun 2. Ahmedo 3. Hamidun 4. Mehmoodun 5. Qasimun
 6. Qaqibun, 7. Fatihun 8. Khatimun 9. Hasirun 10. Maahin 11. Daain 12. Sirajun 13.
 Rashidun 14. Muniran 15. Bashirun 16. Nazirun 17. Haadin 18. Mhadin 19. Rasoolun 20.
 Nabiyun 21. Taahaa 22. Yaasin 23. Mozammilun 24. Mudassirun 25. Shafiun 26.
 Khalilun 27. Kaleemun 28. Habibun 29. Mustafa 30. Murtaza 31. Mujtaba 32. Mukhtarun
 33. Nasirun 34. Mansoorun 36. Qaaimun 37. Hafizun 38. Shaheedun 39. Aadilun 40.
 Hakimun 41. Noorun 42. Hujatun 43. Burhanun 44. Abtahiyun 45. Mominun 46.
 Moteetun 47. Muzakirun 48. Waaizun 49. Ameenun 50. Sadiqun 51. Musakliqun 52.
 Naatiquun 53. Sahibun 54. Makkiun 55. Madaniun 56. Arabiun 57. Hashimiyun 58.
 Tehamiun 59. Hijaziyun 60. Traziun 61. Qureshiun 62. Modariun 63. Ummiun 64.
 Azizun. 65. Harisun 66. Raufun 67. Rahimun 68. Yateemun 69. Ghaniun 70. Jawwadun
 71. Fatahun 72. Aalimun 73. Tayyubun 74. Tahirun 75. Mutahirun 76. Khateebun 77.
 Fasihun 78. Syedun 79. Munaqiun 80. Imamun 81. Barun 82. Shafin 83. Mutawasitun
 84. Sabiqun 85. Muqtasidun 86. Mehadiun 87. Haqun 88. Mobinun 89. Awwalun 90.
 Akhirun 91. Zahirun 92. Batinun 93. Rehmatun 94. Mohallalun 95. Moharramun 96.
 Aamirun 97. Nahin 98. Shakoorun 99. Qaribun 100. Munibun 101. Mujeebun 102.
 Mubalighun 103. Toaaseen. 104. Haameem 105. Haseebun 106. Olaa.

24. Allah Almighty declared his Beloved Prophet (Peace Be Upon Him) as
 'Khatam-un-Nabeeyan'. Reference is made to Verse No.40 of Surat Ahzaab, which is as
 under:-

"Muhammad(P.B.U.H) is not the father of any
 of your men, but he is the Messenger of Allah
 and the last (end) of the Prophets. And Allah is
 Ever All Aware of every thing."

Allah Almighty himself and his Angels sent 'Darood-o-Salam on Holy
 Prophet (Peace Be Upon Him) and ordered the Muslims to send their blessings on Him.
 Reference is made to Surat Ahzaab Ayat No.56 which is as under:-

"Allah and His Angels send blessings on the
 Prophet.
 O ye that believe! Send ye blessings on him
 And salute him With all respect."

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25. First we seek guidance from the Holy Quran, which is the true source of knowledge for a Muslim. Therefore, it is an established fact that there would be no Apostle after our Beloved Holy Prophet Mohammad (Peace Be Upon Him) and if any one has any such claim of being Prophet after Him or to have resemblance with the Holy Prophet (Peace Be Upon Him) or Whose (Peace Be Upon Him) continuity, either he is 'Massalama Kazaab' or 'Mirza Ghulam Ahmed Qadiani', he cannot be Apostle of God but he is 'KAFIR' AND 'MURTAID', liable to be punished under the law in Pakistan..

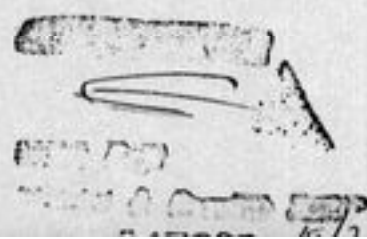
26. Allah Almighty Himself and His Angels send 'Darood-o-Salam' on Holy Prophet (Peace Be Upon Him) and ordered the Muslims to send their blessings on Him. Reference is made to Surat Ahzaab Verse No.56, which is as under:-

"Allah and His Angels send blessings on the Prophet
O ye that believe! Send ye blessings on Him. And salute
Him with all respect."



27. Now the point for determination is that Allah Almighty declared the Holy Prophet (Peace Be Upon Him) as 'Khatamun Nabeeyin', then as to whether if any person by force of his knowledge of Islam by praising Allah Almighty and the Holy Prophet (Peace Be Upon Him) diverts himself and claims himself as 'Anna Mohammad, would it be possible that Allah Almighty shall send His blessings for that person! certainly not. In accordance with the spirit of Surat Ahzaab, Darood Sharif is only meant for the Holy Prophet (Peace Be Upon Him) and this logical version is sufficient to say that there can be no Prophet in any way or in any manner or in any face after our Holy Prophet (Peace Be Upon Him). The supreme honour, which Allah Almighty gave to our Holy Prophet (Peace Be Upon Him) is that He made the 'Zikar' of Holy Prophet mandatory alongwith His 'Zikar', and then the Holy Kalma is complete'

28. Can a Muslim imagine that a person, who claims himself to be Apostle in any shape whatsoever and brings himself forward to compete himself with the status of Holy Prophet (Peace Be Upon Him), then Allah Almighty and his Angels would send



their blessings on that person. It is impossible. Infact such person is 'KAFIR' and 'MURTAD'.

29. Murtad means a person who diverts from his religious belief and in such a way as if he is injuring the dignity of Allah Almighty, His Ayat and His prophet. Even repentance (Taubat) of such person shall not be accepted and he shall be liable for action under the Penal Law.

30. The words 'insult' and 'contempt' are words to an extreme, even idle talk (Dillagi) or laugh (Hansi) are not permitted for Allah Almighty, His Ayat and his Holy Prophet (Peace Be Upon Him). So if a person even presents a document now a days and claims that this document has been sent to him by Holy Prophet (Peace Be Upon Him) and it is verified by all Aulia-e-Karam, then it means that he has involved himself in idle talk (Dillagi) and laugh (Hansi), so such a person is definitely 'Kafir' and 'Murtad'. The reference is made to Surat Tauba Verses No.65 and 66.

31. This is such a case in which the allegation against the accused is that he called for himself 'Anna Mohammad', his family members as 'Ahl-e-Bayat' and his followers as 'Sahab-e-Rasool'. Leaving aside other allegations, this is such a case in which the prosecution version is that the persons at large were injured by touching their religious feelings. It is not such a case in which the members of a family have been physically injured or there is road incident and their statements have to be examined in order to find out the consistency in their statements. It is such a case in which the statement of one witness has to be analyzed in the light of his own statement, whether it corroborates with other statements or not, for the reason that two or three witnesses are residents of Karachi and the others are residents of Lahore and this religious matter injuring the feelings of Muslims at large have been taken up by a religious party known as 'Ahlul Majlis Tahafuz-e-Khatam-e-Nabuwwat', whose history is full of sacrifices in the name of Allah Almighty and love with the Holy Prophet (Peace Be Upon Him) and infact the religious scholars belonging to this party, either Advocates or others, who by their efforts brought the provisions of Section 295-C in the Pakistan Penal Code and now this case through their representative 'Maulana Mohammad Ismail Shujaabadi. So it is my view that each

witness has to be examined so far his testimony and credibility is concerned in the light of his own circumstances and keeping in view this in mind that the conviction and sentence can be passed even on the basis of the statement of a true solitary witness because law says that the qualitative evidence is required and not the quantitative. I may express my view in this way that some decoits looted one person in the one corner of Jungle and looted another person in the other corner of the Jungle. So wherefrom the corroboration would come. Therefore, the statement of the aggrieved person in the light of circumstances explained by him shall either be accepted or rejected.

32. Here in the case, there is no such controversy that Yousaf Ali, accused is to be declared as 'Wali', 'Abdaal', 'Qayyum' and 'Qutab' and had it been so, then some Books referred by him like 'Secret of the Secrets' could be considered. Even otherwise the Books referred to by him are not relevant for the subject and over and above the Holy Quran, which is the supreme source of law and knowledge.

33. Now this aspect is worth examination that as to whether first of all the prosecution case is to be taken up or the case of accused on basis of his statements be examined first. Formally it is the prosecution who has to prove its case. But here I prefer to take up the statements of the accused to examine his personality.

34. He stated in his statement on oath that his faith in religion is like that of 'Hazrat Abubakar Siddique', 'Ahle Bayat' and like that of 'Aulia-e-Karam' and his mission is world peace through human excellence (Ahsan-e-Taqveem), also known as World Assembly and Peace and Islamic Renaissance and he added that whenever he talks about 'Ishq-e-Mohammad, he would love to be student of 'Sufiizm', when he strives against enemies of Islam, he would like to go to "Jamat-e-Islami Camp, when he hears Naats, he would love to sit in Brailvi Company and if he has to hear good sermons about Ahl-e-Bayat-e-Rasool, he would prefer to go to 'Shias and while he performs exortie he would be a student of 'Daobandi' and if he has to talk about 'Toheed', he will go in the Camp of 'Ahl-e-Hadees .In other words according to him all Muslims have some good partial knowledge , not a total knowledge and the total knowledge is under the feet of Hazrat Muhammad (Peace Be Upon Him). He referred to many Surats in support of his

version. If his statement, as referred above, despite references of Holy Quran and Page No.28 of the Book 'Qanoon-e-Toheen-e-Risalat' written by Mr.Mohammad Ismail Shujaabadi is deeply examined, it would look that all the Surats of Holy Quran are true but the object of his statement is to condemn every school of thought of 'Muslims' with this plea that every school of thought has partial knowledge and infact his mission is to attract the public towards him with this version that he is every where. Whereas the true situation is that a 'Muslim' belonging to every school of thought has faith, as discussed above, or as under

”لَا إِلَهَ إِلَّا اللَّهُ مُحَمَّدٌ رَّسُولُ اللَّهِ“

When this is the faith of a 'Muslim', then what is the necessity of condemning the school of thoughts. He admits this thing to be bad by stating that description of defect of any one is back-biting, so he shall not point out the defect of any one. He is indirectly condemning the different school of thoughts by stating that if he is to hear the Naats he would love to sit in Brailvi Company. Meaning thereby, he does not like other acts of the Brailvi school of thought and similarly in case of 'Ahle-Hadees or 'Jamat-e-Islami'. He criticized that all translations of Holy Quran are incorrect and defective. But he did not state that he wrote true translation of the Holy Quran and when he was asked about knowledge of Arabic, he replied that he knows Arabic language to some extent. While proceeding further, he stated that prior to his birth his parents, Murshids of his parents and the Holy Prophet (Peace Be Upon Him) gave the happy news that he has a contact with the Holy Prophet (Peace Be Upon Him) through dreams and observance and though it is his personal matter but according to him it is not objectionable for others and he mentioned this fact for the reason that in his conversation all the terms are those which he has got from the Holy prophet (Peace Be Upon Him). For example in Arabic the word 'Ahle-Bayat' is usually used and words 'Ahle-e-Bayat-e-Rasool' are specified. So 'Ahle Bayat' can be used for any body; that he has to be in accordance with the example of Holy Prophet (Peace Be Upon Him) and if some one is like Holy Prophet (Peace Be Upon) it is not disrespectful or insulting but if some one is not in accordance with the Holy Prophet (Peace Be Upon Him), it is disrespectful and for this reason the happy news

and pleasure was that his name 'Muhammad' was suggested and later on the elders and scholars gave guidance that this would proceed with difficulty in the culture of Pakistan.

It is obvious from his this statement that he has tried to make his birth like that of an Apostle of God. Even otherwise there is no such proof to show that it was as such.

According to him if some one is like Holy Prophet (Peace Be Upon Him) it is not disrespectful. The question is that how any one can claim to be like Holy Prophet (Peace

Be Upon Him) whereas we are the humble slaves of the Holy Prophet (Peace Be Upon Him). He added Yousaf Ali in his name 'Muhammad' with his version that the culture

of Pakistan would not accept the simple name as 'Muhammad'. Any such version cannot be accepted because if in good faith the simple name as 'Muhammad' of a person is

suggested, no body will agitate and if the name 'Muhammad' is suggested to pose like the Holy Prophet (Peace Be Upon Him), then this simple name as 'Muhammad' is highly

objectionable. He further stated that the way Holy Prophet (Peace Be Upon Him) is on the peak of Prophethood, in the same way, his followers could reach on the peak of man

kind and the peak of man kind is that there should be no secret in between Holy Prophet (Peace Be Upon Him) and the man. The love with the Holy Prophet (Peace Be Upon

Him) may go to an extreme but one should keep in mind that an animal cannot become human being, a human being cannot become an Apostle of God and all Apostles of God

cannot become the Holy Prophet (Peace Be Upon Him). So far the secrets are concerned, this fact is best known to Allah Almighty or to the Holy Prophet (Peace Be Upon Him)

(Mehboob-e-Khuda) as Allah Almighty is 'Mohib' and the Holy Prophet (Peace Be Upon Him) is 'Habib';. Therefore, there can be no secret in between the 'Mohib' and 'Habib'.

So it is incorrect that there can be no secret in between and the Apostle of God. So his version is objectionable from religious point of view. Thereafter, he claims to be the

Caliph of the Holy Prophet (Peace Be Upon Him) but without any 'Dalil' or 'proof' except the document Exh.DL, which is computerised/typed, delivered to him about 40

days earlier during the trial of this case. It is quite funny but it does not mean that he lacks wisdom and infact to thrash out his wisdom his statement on oath is being

examined first, prior to the discussion of the prosecution case. In order to explain as to

who and when the word 'Sahabi' was used. According to him, the 'Sahabi' is that person who had the Company of Holy Prophet (Peace Be Upon Him) in 'Halat-e-Iman' and if he is not a 'Sahabi', then what else. He stated that the 'Sahabi' means the companion of Muhammad Bin Abdullal Muhammad Rasool Allah (Peace Be Upon Him). Anyhow on safe precaution the word of 'Sahabi' was also used for the companions by the leaders of 'Ahle-Bayat' and similarly Hazrat Ghos-e-Azam used this word in the same sense and stated that is it not correct that we generally do not call our friends as companions and the meaning of 'Sahabi' is some thing else and the meaning of 'Sahab-e-Rasool' is some thing else. This explanation given by him itself is double meaning and infact he tried to justify the fact of calling his two companions as 'Sahabi'. If any one is a true 'Muslim' he should avoid such Islamic terms, which may confuse others. During cross-examination, he stated that he cannot say if the Book titled as 'Ali Nama' was presented to him by Syed Masood Raza. If this Book 'Ali Nama' (P-14) is read, it would look that there are many things objectionable in it. For example, poem (P-9) 'Tujhi-pe-Var-De-Apni-Jawani' Portions 'A' to 'A' and 'B' to 'B' are highly objectionable as 'Suaad' for Salallahu Alehe-Wassalam' is put on words addressed to Yousaf Ali. Infact he could not deny the presentation of this book and the showing of the lack of knowledge was meaningful and Syed Musa Raza Writer of the above mentioned book was admittedly known to him. Last of all he stated in this regard that he has audience in abundance, so he has no concern with the words by which he has been addressed by those. This explanation given by him is highly objectionable, which also means as if some one put 'Suaad' for Salallahu Alehe-Wassalam' on his name, he accepts the same. Infact he should have stated that he condemned/disproved those persons and he had not done so far despite of having knowledge in this regard even in the court. Anyhow, he admitted later on, during cross-examination, that there is possibility that his poetry had been produced in 'Ali Nama'. Indirectly he admits to have knowledge about the book 'Ali Nama' (P-14). Similarly he showed his ignorance about a book titled 'Bang-e-Qalandri' (P-16) and also showed ignorance that the poetry given in the book (P-16) is same as given in 'Ali Nama' (P-14). Infact it is obvious that he is concealing some thing.

Now when he was cross-examined about his place of birth, he stated that he was born in a village near Jaranwala but he does not remember the name of the village; that his place of birth officially recorded is 1st August, 1949; that he started his education in a School at Gujranwala; that he did Matriculation in a School at Jaranwala; that he was born in the month of 'Shabaan'; that he never told his date of birth as 9th Rabiul Awwal; that date of birth of Holy Prophet (Peace Be Upon Him) is told as 12th Rabiul Awwal and 9th Rabiul Awwal and he stated that he has difference on this but later on stated that both could be correct or correct. Now here it should be pointed out that if the Video Cassette is seen, he has stressed on 9th Rabiul Awwal as date of birth of our Holy Prophet (Peace Be Upon Him). It looks quite astonishing that he did Matriculation from a School at Jaranwala but he does not know the name of his village. Infact he tried to conceal himself so that one could not know that as to whether he is simple Rajput or otherwise. During cross-examination he stated that Arabic was also included as Optional subject. Meaning thereby, he had no knowledge about Arabic language in detail, then how he can claim that the translations of Holy Quran made in the past are incorrect. Infact it is an assault on the Holy Quran and his intention is to mold the general public towards another angle/direction/way like Mirza Ghulam Ahmed Qadiani, who first was very loyal to religion but diverted later on when he had some followers behind him. In order to conceal his personality, he further stated in cross-examination that he has lost his Education Certificates, Passport and Visa etc. because there was an incident of setting his house on fire, as a consequence of which, his luggage is lying here and there. Therefore, he cannot collect as to where his documents of education are lying. While explaining incident of fire, he stated that it was just an attempt in the month of April, 1997. So his family shifted to different places and further stated that, however, he did not lodge any report with the police. Here again he has tried to conceal his educational qualification. The cross-examination on him at page 27 of the file would also show that he participated in the marriage of Masood Raza on 26-12-1995, who wrote the Book 'Ali Nama. So it is quite astonishing that he had no knowledge of this Book. But at a later stage he stated that he has heard the poem 'A' to 'A' as being the portion and the portion 'B' to 'B' of the poem

میں نے
جس کا
جس کا

of P-19 written by Syed Masood Raza in his book 'Ali Nama. Meaning thereby he knows how to twist his statement. While going further relating to this subject 'Ali Nama' he admitted that the poems 'F' to 'F' and 'G' to 'G' apparently are objectionable and tried to justify his position by reciting 'Sher'

جان من بھی ہے

یوسف بھی ہے علی بھی ہے ام کلین بھی ہے
 ہے جسم بھی اور جان بھی اور جان من بھی ہے
 مرتے ہیں رشک سے بہت کاغذ اور تمام
 حسن ازل کا یار میں وہ بانگین بھی ہے
 ہے سرو قد لالہ خاک سرتاپا بہار
 زہرہ جبین کے جام میں آگاہی بھی ہے
 آر لکھن بے نام وہ آر سکھ کا عالم
 جام سفال میں سر سے ناب کہن بھی ہے
 آرزو دو جہاں سہی معبود آشنا
 آغوش یار ہے جہاں اپنا وطن بھی ہے
 " آر علی نے سارا عالم یو سفستان کر دیا
 یستی موم کو بھی زہر جانان کر دیا
 آر علی نے سارا عالم یو سفستان کر دیا
 صوفی خود آراء تھا اب تک طور پر جلوہ نما
 آپ نے اب جان من استو بھی عریاں کر دیا
 دشت و وحشت میں جو مرجعائے موت کچھ بول تھا
 نقش پائے ناز نے ان کو بھی خندہ کر دیا
 کھتا سونا یہ قفس میں تھا ان کی یادوں میں مگر
 پیکر خالی کو بھی رشک گدگد کر دیا
 اپنی بے رنگی پر ان کو ناز تھا کہیں رضا
 ہم نے ہر ایک رنگ میں ان کو نمایاں کر دیا

35. He stated in cross-examination that his father was Jeweller as well as cultivator and first of all shop of his father was in Lahore, then was shifted to Jaranwala and that his father was owner of the property, the detail of which is not known to him but his father

had distributed the same when he was child and his father left no property for him except one house, which was given to one sister. About his service he stated that he joined the Defence Services in the year 1966 and he remained in Service till 1977 with the designation of Captain, last held in the Defence Services. So his way of income was salary of Captain and another source of income was the property inherited by his wife. Meaning thereby when he resigned from the service he had no huge amount with him to carry on any business but he showed in his statement on oath that he has invested rupees twenty four lacs in the business of cloth in 'Madina Munawara'. About his residence bearing No.218Q in the Defence, Lahore, he stated that it is neither owned by him nor by his wife but he had resided there. And about his name recorded in the service record, he stated that it was 'Yousaf Ali Nadeem' and that the house known as 'Jannat-e-Tayyaba' situated at 218-Q Defence, Lahore and later on admitted that the owner of the house was his wife. Two things are quite clear from this portion of his statement in a way that he had excluded the name of 'Muhammad' from his name 'Mohammad Yousaf Ali' and that he added 'Nadeem' in his name and became 'Yousaf Ali Nadeem'. Meanding thereby he had no love with the name 'Muhammad' and infact he had love with 'Takhallus' (pen name) 'Nadeem' that of a Filmstar, perhaps that act on his part deveoped in the youth age, and the second thing is that first he denied to be owner of the house, as mentioned above, but later on stated that the house was owned by his wife. Meanding thereby he is in the habit of making contradictory statements.

6. Now about the circulation of money in between him and the prosecution witnesses is in this way when he states that Draft Mark 'A' for an amount of Rupees three lac is concerned, the amount is his but the Draft was sent by Mohammad Ali Abubakar (PW), similarly Draft Mark "B" for an amount of rupees five lac, the amount was his and the draft was sent by Mohammad Ali Abubakar (PW) from Karachi to Lahore and so far the Draft Mark 'C' is concerned, he again stated that the amount was mine but it was sent by Mohammad Ali Abubakar (PW) from Karachi to Lahore, and in case of Draft Mark 'D' he stated that it was his amount but it was despatched by Mohammad Ali Abubakar (PW). This portion of his statement is also meaningful for the

was no Computer or any latest machine. Even otherwise document Exh. DYY seems to be a manufactured one. Moreover, while appearing as his own witness he repeatedly used the word 'we' or 'us' for himself, then how such a person can claim as 'Faqeer'.

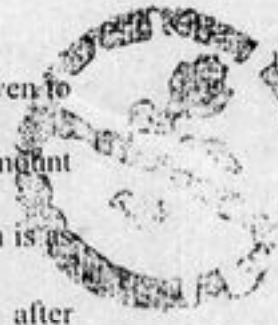
40. About document Exh. DL, which reflects to have 'Khilafat-e-Uzma' of Holy Prophet (Peace Be Upon Him) he stated that this document is a Certificate relating to the spiritual aspect awarded to him by the Holy Prophet (Peace Be Upon Him) as the Holy Prophet (Peace Be Upon Him) awards Spiritual Certificate of this nature. He admitted that in document Exh. DL the sentence 'Khalif-e-Azam Hazoor Syed-e-Na-Muhammad (Peace Be Upon Him) Ka-Khalif-e-Azak Hazrat Imam (Al-Sheikh) Abu Ali-Muhammad Yousaf Ali) is awarded to him by the Holy Prophet (Peace Be Upon Him). Volunteered that in accordance with Surat 'Haj' Verse No.78 every Muslim after all efforts should prove himself as 'Khalifa' of Holy Prophet (Peace Be Upon Him) subject to His (Peace Be Upon Him) confirmation, added that portion 'M' to 'M' is the part and parcel of Exh.DL and this 'Shahadat' has been awarded to him by Hazrat Abdullah Shah Ghazi and this 'Shahadat' has also been given by other 'Olia-e-Karam', all 'Olia-e-Karam' are alive and this 'Shahadat' has been awarded by them. Further added that he cannot say that this 'Shahadat' has been given by 'Olia-e-Karam' at the instance of Holy Prophet (Peace Be Upon Him) or not. The portion 'N' to 'N' is 'Alhamdulillah' correct and it is for him; that he knows 'English', 'Urdu', 'Punjabi' and little Arabic and little persian and the language of love. He further stated in corss-examination that he came to know through 'Hazrat Abullah Shah Ghazi' that all 'Olia-e-Karam' have confirmed this Certificate Exh.DL. He stated that he received this Certificate directly from Holy Prophet (Peace Be Upon Him) but it was verified indirectly by the 'Olia-e-Karam' from 'Abdullah Shah Ghazi'. Volunteered that this Certificate was spiritual but he cannot tell its details that as to whether he received document Exh.DL, either typed or un-typed and admitted that the document Exh.DL is computerised and typed document and he got this document Exh.DL computerised/typed from Islamabad. He stated that he cannot tell that as to whether he had been receiving the spiritual messages from Holy Prophet (Peace Be Upon Him) either in Arabic or in English because it is personal affair that as to in which

reason that how is it possible that a specific amount is being sent from Karachi to Lahore by a specific person but the claim of Yousaf Ali, accused, without any evidence, is that it was his amount. Meaning thereby he is concealing some thing and telling a lie.

37. He admits that the Air-Conditioner purchased vide Receipt Mark "F" was given to him as gift and he volunteered that this Air-Conditioner was purchased from his amount and this amount was gifted by him to Mohammad Ali Abubakar (PW) The question is as to what is the meaning of these sentences. It is clear that the Air-Conditioner, after purchase by Mohammad Ali Abubakar (PW) was given to him and at the most he tried to conceal this fact.

38. In order to prove himself a very pious man, he stated that since he was called by 'Murshid' in Madina Munawara, so he tendered resignation from service, but at the same moment he admits that he did not mention this fact in the application for resignation. This fact on the record would also force to believe that there is tendency in him of concealing the true facts.

39. About use of word 'Faqeer' for himself, he stated that he has not written 'Faqeer' for himself except at one stage but later on he confirmed his contention and stated that he has never called himself as 'Faqeer' any where or written as such. But at the same moment he admitted that he has termed himself as 'Maskeen' and 'Faqeer' in his statement before this court and volunteered that he has stated before this court that this 'Faqeer' was performing his duty, admitted that he has written as 'Faqeer' for himself in letter Exh.DM addressed to this court, admitted that he has written as 'Faqeer' many a times in the above mentioned letter and volunteered that there were many persons, who wrote alongwith their names 'Faqeer'. In my view, there can be no objection if some one calls himself as 'Faqeer' but this Appellation (Laqab) is objectionable when it becomes meaningful and it is written with crookedness. Here the reference can be made to the document Exh. DYY, wherein he is happy to see the words 'His Excellency' alongwith his name and this typing in English is by a latest Typing Machine or this typing in English is computerised. Whereas his photograph with His Lordship Mr. Justice (Retired) Mohammad Afzal Cheema, Hon'ble Judge of Supreme Court is of those days when there



سید
جج لاہور

language 'Olia-e-Karam' conveyed their message to him, therefore, he cannot tell the language, even he cannot tell the detail of verification portion 'M' to 'M' and Exh.DL so far the language is concerned, even he cannot tell the language in which the message portion 'N' to 'N' Exh.DL was received by him, however, he admitted that the message recorded in the upper portion 'K' to 'K' of Exh. DL is his and also of his Committee and he was responsible for it and when he was asked about the meaning of word 'Amplitudue', he stated that the meaning of the word 'Amplitude' is 'Amplitude' and about the word 'Resurrect', he stated that it is as 'Resurrect' in English, however, he denied this suggestion that he has manufactured this document to grab money from the people. Now the question worth consideration is that as to what is this document. Leaving aside its admissibility for the reason that this document has been presented by him, so believing it to be admissible the question in my mind is that in view of his above statement, what is the corroborative piece of evidence about this document and what is the sanctity of this document. There is nothing on the record to believe that this document is correct. It is quite astonishing that 'fluid' has been used on the word 'Suaad' at many places on the name of 'AH Muhammad Yousaf Ali' and if this document is seen by magnified glass, it would look that on every step where 'Suaad' has been used for the name of 'Muhammad Yousaf Ali', it has been covered by 'fluid'. So it is quite astonishing that the message of Holy Prophet (Peace Be Upon Him) was received by him with the fluid of modern day. Infact this document is ridiculous towards Islam and the spirit of Surat Tauba Verses 65 And 66 of Holy Quran, which in English are as under:-

Verse No.65

"If you ask them (about this) they declare ' we were, only talkly idly and joking' 'say' was it at Allah and His Ayat and His Messenger that you were mocking?"

Verse No.66.

"Make no excuse ; you disbelieved after you had believed. If We pardon some of your, We will punish others amongst you because they were *Mujrimun*

سید احمد علی
مستحق

9/8/2003

(disbelievers/sinners/criminals).

41. After analyzing this document, I am forced to say that there is no need to examine the prosecution evidence in presence of this original document, which itself is sufficient to declare Yousaf, accused, as 'KAFIR' AND 'MURTAD'. Now thereafter I shall not use the words 'Muhammad' and 'Ali' along-with his name in the judgment but only Yousaf Kazaab'

42. There are many things in his statement on oath like that what is the concept of 'Imam-e-Waqt', World Assembly, 'Mard-e-Kamil', 'Safeer', 'Sirre Israr' 'his Columns in 'Tameer-e-Millat' published in daily 'Pakistan' 'Qarz-e-Husna, in other words justification for grabbing money from the people but I am leaving all these subjects undiscussed because his complete statement in verbatim has already been reproduced and if any Reader of this judgment wants to know some thing more about Yousaf accused, he should read his entire statement on oath.

43. Now if his statement under Section 342 Cr.P.C is perused, as given above, it would look that the accused, after consultation with his counsel did not submit reply to some very important questions. For instance when he was asked about a question with regard to Audio Cassette (P-1) and Video Cassettes (P-2 & P-5) containing his speeches, he submitted that his counsel has advised him not to answer this question. There are many other instances of this nature where Yousaf accused refused to answer the material questions. The point for determination is that as to what is the legal position in this regard. The spirit of Section 342 Cr.P.C is that accused is asked to explain any circumstance appearing in the evidence against him without previously warning in this regard and this explanation is sought by putting the questions by the court. Meaning thereby the prosecution evidence which comes against the accused is put to him. Now if the accused does not reply a question, certainly, it would mean that he has admitted the piece of evidence brought on record by the prosecution. Here I must mention the principle that if the statement of the accused under Section 342 Cr.P.C is to be considered it is either accepted in toto or rejected in toto. But his this statement under Section 342 Cr.P.C is an example in the history of criminal trial that accused did not submit his

replies about very very important piece of evidence after consulting his counsel. Therefore, such pieces of evidence shall be presumed to be admitted by the accused and here I must mention that Audio and Video Cassettes are permitted to be produced in evidence. This analyses of the statement of Yousaf, accused, forces to believe that he is a crafty and artful person.

44. Here the conduct of the accused can also be examined as it was observed by the court. At one stage a prosecution witness was being cross-examined by the learned defence counsel. Yousaf, accused, interfered and tried to hand over the Book of Holy Quran to his counsel in such a way as if he had no regard for the Holy Quran and he was handing over the Holy Book in a throwing manner. While the conduct of the defence counsel was that at one stage while cross-examining another prosecution witness he put his questions in the form as under:-

”اگر قرآن کو زمین پر پھینک دیا جائے“

45. This question put by the learned defence counsel was not from his own pocket but if the Audio and Video Cassettes are seen, then it would look that Yousaf, accused, by carrying the Holy Hook in his hand acted in the same manner. Meaning thereby the conduct of Yousaf, accused, forces one to believe that he had no regard for the Holy Quran and his assertion to have the same and to pose as a very pious and scholar in religion is baseless. All this material has been obtained basically from the statement of the accused recorded as a witness. So it is admissible in evidence and an inference, as above mentioned, can be drawn from it.

46. Now the case of prosecution is to be analysed in the light of the arguments advanced by the learned defence counsel.

47. First of all the point for determination is that as to what is the impact of delay in lodging the FIR. This case was registered on basis of complaint Exh.PC dated 26-3-1997, moved by Mohammad Ismail Shujaabadi, Secretary General 'Aalimi Majlis Khatam-e-Nabuwwat' Lahore Branch to Senior Superintendent of Police, Lahore, who asked DSP (legal) to examine and report immediately vide his order dated 28-3-1997. While the

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formal FIR Exh.PC/1 was recorded on 29-3-1997. If the contents of the application Exh.PC are perused, it would look that the complainant in this case was not an eye witness but he had some evidence with him in the shape of Cassettes containing speech of Yousaf, accused, diary, writings and the reference of a specific incident dated 28-2-1997 with regard to sermon (Khutba) delivered by Yousaf, accused in mosque 'Baitul Raza' situated in Chowk Yateemkhana, Lahore. While the prosecution witnesses collected later on, narrated their stories of being cheated on different dates, mostly at Karachi, particularly in the house of one 'Abdul Wahid' or at Lahore. Certainly, the incident of being cheated are of different dates and that after submission of application Exh.PC, the formal FIR was recorded on 29-3-1997, therefore, it can be argued that as to why the delay occurred in such like sensitive case in which the allegation against accused was that of his claim being 'Prophet' or like the Holy Prophet (Peace Be Upon Him). If the prosecution evidence is examined carefully, it would look that each witness faced the incident of being cheated after intervals and it all was happening first in the sermons in accordance with the Islamic faith and then an offer to have 'Ziarat' of the Holy Prophet (Peace Be Upon Him). In my opinion every Muslim can be cheated under such umbrella. Anyhow the stage comes when the wisdom prevails and when the wisdom prevails, the aggrieved person stands looted. So in such sensitive cases the delay is bound to occur because straight away such like case is not registered because after submission of an application to SSP, it goes to the DSP (Legal) for opinion and thereafter the case is registered. Even otherwise the evidence is to be collected and the best thing in such circumstances is to evaluate the evidence of the parties independently.

48. Now the point for examination is as to which piece of evidence is inadmissible in evidence in the light of the objections raised by learned defence counsel. He raised this objection that Audio and Video Cassettes are not admissible in evidence in the light of the provisions of Article 164 of 'Qanoon-e-Shahadat'. Both the parties in support of their contentions have referred to the cases on this legal controversy. So far Article 164 of 'Qanoon-e-Shahadat' is concerned, it says that if the court considers appropriate may allow to be produced any evidence that may have become available because of modern

devices or the techniques. The objection raised by the learned defence counsel was that the maker of Audio and Video Cassettes has not been produced. Moreover, no genuineness can be attached to the transcripts got prepared by the police and that there are tampering and changes in the Audio and Video Cassettes. It may be mentioned in this regard that Audio and Video Cassettes were provided to the accused. Even his counsel saw the Video Cassettes in the Chamber of the undersigned and at the end he uttered that the accused owns it in toto and later on he was worried in this connection and denied the voice and photographs of the accused in the Audio and Video Cassettes. Even when the statement under Section 342 Cr.P.C was recorded, the learned defence counsel advised to the accused not to answer the question. And at one stage when the statement of the accused was being recorded, he himself produced a Video Cassette containing his interview, perhaps with the foreigners. Now if Video Cassette Mark "J", provided by the accused and the Video Cassettes P-2 & P-5 and also the Audio Cassette P-1, are seen and heard, it would establish that the voice of accused is same in the Audio Cassette and the Video Cassettes and that the photography in the Video Cassettes, as mentioned above, is that of Yousaf, accused. Infact by producing the Video Cassette he (accused) provided an opportunity to the court for comparison in which this court itself is competent. I fully agree that due to modern devices there can be a chance of tampering or to cause changes in the Audio and Video Cassettes because there are some specialist persons who can provide the voice of another person easily. But here in the instant, the comparison shows that each and every word uttered in the Audio Cassette or in the Video Cassettes, as mentioned above, are that of Yousaf, accused and even there is no doubt about his photography. If the cross-examination on PW-3 Muammad Ismail Shujaabadi is perused, it would look that he was suggested that there is tampering and changes in Audio and the Video Cassettes but the learned defence counsel failed to point out any tampering or any specific change, which could be put to the witness. If such general suggestion was to be given, then the learned defence counsel should have pointed out the portions where the Audio and Video Cassettes were tampered. The accused was provided Audio and the Video Cassettes but despite this, learned defence counsel failed to point out the nature of

changes. Therefore, the Audio and the Video Cassettes, even the Video Cassette produced by the accused, are treated to be admissible in evidence.

49. Here it may be discussed as to what is the value and importance of the Audio and the Video Cassettes, as mentioned above. These documents have been seen by the court. These documents have been seen by the Advocates from both the sides. These documents have been seen by the prosecution witnesses including the complainant (Pw-3) and the Investigating Officers. If Audio Cassette & Video Cassettes and their transcripts are heard or seen, it would look that Yousaf, accused, has delivered the speeches or uttered the words which clearly defiled the Name of Holy Prophet (Peace Be Upon Him); those of 'Ahle Bayat' and 'Sahab-e-Karam'. Even he used insulting language about Holy Quran. For example, the transcript Exh. P-10 of Audio Cassette P-1 shows that he declared 'Abdul Wahid' and 'Zaid Zaman' as 'Sahabi-e-Rasool (Peace Be Upon Him)', the audience atleast 100 in numbers as 'Sahabi-e-Rasool (Peace Be Upon Him)', compared mosque 'Biatul Raza' as 'Ghar-e-Hira, translations of Holy Quran as defective and incorrect; that when Muhammad (Peace Be Upon Him) is resemblance, then he is called 'Rasool and that if you convince Rasool Allah (Peace Be Upon Him), then Allah Almighty would be convinced and if resemblance is with you, you are required to convince him. Meaning thereby, he posed himself to be Holy Prophet (Peace Be Upon Him) and his audience as 'Shahabi-e-Rasool'. Even this transcript shows that he showed his daughter as 'Fatima' with double meaning, he also declared Muhammad Ali Abubakar as 'Shahabi' and a minor child namely 'Salman' aged about two and a half years, to have seen Allah Almighty with open eyes, who is a grand-son of Abdul Wahid, 'Sahabi-e-Rasool' (Peace Be Upon Him). He further declared that date of birth of Holy Prophet (Peace Be Upon Him) is not 12th Rabiul Awwal but it is 9th Rabiul Awwal, whereas relating to this fact, his statement on oath was fluctuating, and if transcripts P-10 and P-11 are perused, and the Video Films are seen, it would look that he uttered the words which are in violation of various provisions of Sections of the Pakistan Penal Code i.e 295-C, 295-A, 298, 298-A. Even he opposed the provisions of Section 295-C by ridiculously saying that if the case of 'Toheen-e-Risalat' is to be registered, it should be

registered with the permission of Holy Prophet (Peace Be Upon Him) and at one stage he stated that he is the 'mirror' of the Holy Prophet (Peace Be Upon Him) while the reflector is some one else. These facts can be examined from the Video Cassette provided by himself and he went to this extent that at one stage he stated that some 'Ayaat' of Holy Quran are mischievous and this fact can be seen in the transcript P-11 of Video Cassette P-2. So these documents clearly established the commission of the offences, as mentioned above by Yousaf, accused.

50. Now there is need to discuss the oral evidence on the record alongwith the relevant documents if any and that the objections raised by the learned defence counsel, if any.

51. Dr. Mohammad Aslam (PE-1) while making the statement about his intimacy with Yousaf, accused, stated further that in the year 1995 Yousaf, accused by having meeting with him in the house of Abdul Wahid after Maghrib Prayer asked as to what sacrifice he could give in lieu of reality but he was reluctant and Yousaf, accused, asked him to pay rupees two lac but he replied that he cannot make any such arrangements and then in the end of 1995 Yousaf, accused, directed him to act upon what he likes and thereafter he promised to make arrangements and in the months of December, 1995 he informed to Yousaf, accused, to have made the arrangements for rupees two lac, on which Yousaf, accused, came in his house and he paid the above mentioned amount; that on the coming Friday, Yousaf, accused, alongwith his 'Murids' attended the 'Jumma' prayer in the mosque situated in Askari Apartment and after 'Jumma' prayer Yousaf, accused, alongwith his companion came in his house where after a while Yousaf, accused, stated to provide the reality and thereafter while standing Yousaf, accused, stated 'Anna Muhammad', on which he was surprised because no body can claim to be 'Muhammad' (Peace Be Upon Him) who is in Madina and he took this impression that as if he is claiming for himself as 'Muhammad' (Peace Be Upon Him) and he was still in this state of affair; that the companions of Yousaf, accused, put garlands in his neck and when the meeting was over Yousaf, accused, alongwith his companions went away and after his departure he preferred to continue meetings with Yousaf, accused, and then after couple


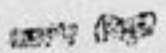
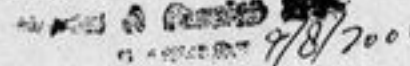
of months while being present alongwith Commodore(Rtd.) Yousaf Siddique in the house of Abdul wahid, a question was put by Yousaf Siddique to Yousaf accused that from Hazrat Adam Alahe Salam and thereafter you had been appearing as Prophet in different times and you also appeared 1400 years back and thereafter you came as Saints, 'Olia' and what is the difference/dignity of 1400 years back and now and which was more dignified/glorified and in return, Yousaf, accused, replied that the period 1400 years back was glorious but the glory now is unprecedented as it was duty at that time but beauty now.



52. So it is obvious that Yousaf, accused, in presence of this witness by claiming 'Anna Muhammad' for himself tried to resemble with the Holy Prophet (Peace Be Upon Him). He was cross-examined by the learned defence counsel on various aspects. There is a lengthy cross-examination, even relating to a Book written by this witness but it would look that he has not put any specific suggestion relating to the part of his statement in the examination-in-chief, which means that any thing stated by this witness in the examination-in-chief has been admitted to be correct. At one stage this witness was suggested that Yousaf, accused, in the meetings expressed his deep love and affection for the Holy Prophet (Peace Be Upon Him) but he denied this suggestion and stated that Yousaf showed his love for another instead of Holy Prophet (Peace Be Upon Him) or Muhammad-e-Arbi' (Peace Be Upon Him). He was suggested to have desposed due to personal enmity but the nature of enmity was not suggested to him and at this stage this witness explained that Yousaf, accused was sitting on the Chair and he stood up and said 'Anna Muhammad' and justified the way he declared to be 'Anna Muhammad'. This was the stage where learned defence counsel should have suggested that Yousaf, accused, did not claim for himself as 'Anna Muhammad'. So in absence of suggestion it is established that Yousaf, accused, in presence of this witness claimed himself to be the Holy Prophet (Peace Be Upon Him).

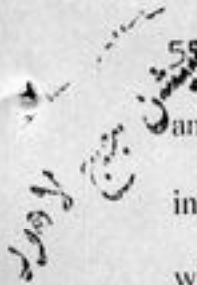
53. Mohammad Akram Rana (PW-2) also resident of Karachi, deposed that Yousaf, accused, stated in a meeting in the house of Abdul Wahid that the Holy Prophet (Peace Be Upon Him) is present in the world today in the form of a human being and also

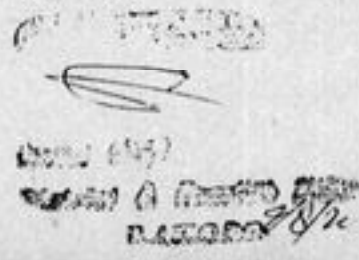
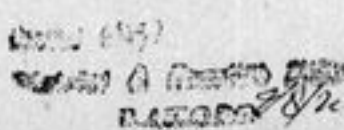
accused, replied that 14000 years back the tradition was old and now the tradition is modern and that glamour/pomp and show is the need of the day. Yousaf, accused, further stated that if some one can see, he may see and if some can identify, he may identify the Holy Prophet (Peace Be Upon Him) to be present amongst them, and in the next meeting about the question of writing 'Tafseer' or 'Tafheem' of Holy Quran, Yousaf, accused, demanded price of that and he promised to pay an amount of rupees one lac for obtaining the book and thereafter he was receiving the messages for making the payment and when the payment was not made, Yousaf, accused, shortened his demand from one lac to rupees fifty thousand and when he had to proceed for 'Haj' he paid rupees twenty five thousand to Yousaf, accused, on which he said that he has come very close to Allah Almighty, so he disclosed a reality in his presence and at that moment many other people were present in the meeting held in the house of Abdul Wahid but Yousaf, accused, carried him to another connected room while leaving the intervening door as open and he asked him to close his eyes, on which he closed his eyes, whereafter he (accused) asked him to recite 'Darood Sharif', on which he recited 'Darood Sharif' and then he asked to open the eyes and inquired from him as to whether he has seen anything, on which he said that he has not seen any thing but Yousaf, accused, embraced him and said 'Bismillah' that he was Muhammad Mustafa and Yousaf, accused, further said that he has concealed this reality and he is also supposed to conceal this reality and this is the 'Tafheem-e-Quran', 'Tafseer-e-Quran' and 'Zinda Quran' and also 'Noor-e-Quran', and on hearing so, he felt that he was hypnotised by the words and dialogue spoken by Yousaf, accused, on which he has come out from this dilemma and thereafter he consulted with the Ulma to whom he narrated the above statement, on which the Ulma informed him that the person concerned is liable to be murdered .

54. This witness was also cross-examined at length by the learned defence counsel. Even the enmity was put to him in this way that he called 'Mrs Tayyaba Yousaf Ali' wife of the accused on 02-2-1997 from Karachi to Lahore on telephone and that not only




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simply talked on telephone with wife of Yousaf, accused, but he also attempted twice to abduct the daughter of Yousaf, accused, however, he denied the suggestion that he also stated that it was some spiritual power, which failed his design. Even in cross-examination, the references of this witness with his son-in-law were also put but despite all these efforts, the testimony of this witness could not be shaken and the part of his statement as examination-in-chief could not be shattered. Even the speech of Yousaf, accused in 'Urdu', the detail of which is provided as above, the entire statement would reveal that he had contacts with Yousaf, accused and Yousaf, accused, by exploiting the religious feelings of a 'Muslim' looted him and perhaps when there was the demand of return, he flared up. The cross-examination on this witness would reveal that a very sensitive question was put to this witness, which was in this way that if some one throws () the Holy Book of Quran on the ground, then what he could do, whereupon he replied that he would take up the Holy Book of Quran he would kiss the Holy Book of Quran. While putting this question the learned defence counsel used the word 'Pattakh' () and it was not his own word but this word was conveyed by Yousaf, accused to his counsel. So after examining the entire evidence of this witness, it is also established that Yousaf, accused posed himself to be the Holy Prophet (Peace Be Upon Him) in presence of this witness.

59.  Muhammad Ismail Shujaabadi (PW-3) is the complainant of this case. He is not an eye witness to any incident dated 28-2-1997 reported in the application Exh.PC. He infact is representative of a Religious Party, who stepped forward to pursue this matter, which was burning the feelings of Muslim Society all over the country. He produced Audi and Video Cassettes before the police. He was cross-examined at length by the learned defence counsel and while cross-examining him he was suggested that many changes have been caused in the Audio Cassette & Video Cassettes as well but he denied this suggestion or that the rebuttal of Yousaf, accused, was discussed. The corss-examination in detail on him would show that he was invited as spectator of the Audio and the Video Cassettes otherwise he had simply produced these documents and when he replied that he had seen and heard the Video and Audio cassettes, then the value and

importance of his statement increased to such an extent that he also heard the objectionable portions of the speeches of Yousaf, accused, including his sermon dated 28-2-1997 delivered in mosque 'Baitul Raza'. So after such type of cross-examination, it cannot be argued that he is not an eye witness. Infact his statement confirms each word spoken in the Audio and the Video Cassettes and those of the transcripts. So his statement having the status of eye witness established this fact that the accused committed the offences, as mentioned above.

56. Hafiz Mohammad Mumtaz Awan (PW-4) is a witness, who on 28-2-1997 attended the 'Jumma' prayer in mosque 'Baitul Raza and Yousaf, accused, delivered his speech prior to 'Khutba Jumma', which amounted to defiling the name of Holy Prophet (Peace Be Upon Him). He declared 100 persons present in the mosque as 'Sahabi-e-Rasool' and he introduced two persons namely Abdul Wahid and Zaid Zaman as 'Sahabi' and he introduced himself as Holy Prophet (Peace Be Upon Him) and this witness provided the Audio and Video Cassettes to Muhammad Ismail Shujaabadi (PW-3) and stated that he had heard the Audio Cassette and seen the Video Cassette and those were that of Yousaf, accused. This witness also faced lengthy cross-examination, who stated that no one from the audience raised objection on speech of Yousaf, accused, and he volunteered that most of them were 'Murids' of Yousaf, accused. And if cross-examination is perused, it would look that this witness is not inimical towards accused and whatsoever he stated, it established this fact that Yousaf, accused, defiled the sacred name of Holy Prophet (Peace Be Upon Him), declared the audience as 'Sahabi-e-Rasool' and two persons as 'Sahabi', which being insulting towards the religious feelings of the Muslims are condemnable.

57. Mian Mohammad Awais (PW-5) also attended the 'Jumma' prayer in the mosque 'Baitul Raza' alongwith Mumtaz Awan (PW-4) on 28-2-1997. His statement is same on the line of Hafiz Mumtaz Awan (PW-4). He also faced the test of cross-examination but his statement could not be shattered. So his statement proves the commission of offences by accused Yousaf in mosque 'Baitul Raza' on 28-2-1997 by delivering highly objectionable speeches, which injured the religious feelings of the Muslims.

58. Athar Iqbal (PW-6) produced the Video Cassette (P-5) before the police and he claimed to have seen the Video Cassette. He also faced the test of cross-examination but his testimony remained un-shattered. The Video Cassette (P-5) has been proved to be that of Yousaf, accused word-by-word without any change, therefore, the statement of this witness is worth reliance.

59. Now the statement of Mohammad Ali Abubakar (PW-7) is worth examination. The detail of his statement has already been discussed above. But for discussion, it may be mentioned here in this way that Yousaf, accused, told him that so long he sees the Holy Prophet (Peace Be Upon Him) he shall not die and directed him to recite 'Darood Sharif' in abundance, thereafter in a meeting in the house of Abdul Wahid. Yousaf, accused, called him as 'Abubakar Siddique' and that Yousaf, accused, came to his house at the time when he was going to perform 'Umra', Yousaf, accused, came there and said that there is no need to perform 'Umra' and he can arrange 'Umra' here and Yousaf, accused, said that 'Makan' is there but the 'Makeen' is here. Anyhow he went to perform 'Umra' and when he came back, Yousaf, accused, started talking with him about the Holy Prophet (Peace Be Upon Him) and Yousaf asked him as to what could be the top-most-surrender on his part for him, on which he replied that whatsoever is desired by him, then Yousaf, accused, asked him to arrange a room in his house and to decorate the same and when he decorated the room Yousaf, accused, came to Karachi from Lahore and liked the room and said that it is 'Ghar-e-Hira' and thereafter whenever Yousaf came to Karachi, he resided in the said room and in one meeting, Yousaf, accused, asked him to close his eyes and asked to recite 'Darood Sharif' and when he asked to open the eyes and when he opened his eyes, Yousaf, accused, all of a sudden took him in his 'Jhappa' and said that he is the 'Muhammad' (Peace Be Upon Him), on which he started weeping but Yousaf, accused, kept him in his 'Jhappa' and when he was released from 'Jhappa' he was feeling shivering and he was sweating and could not understand as to what has happened to him but thereafter he came out of the room and the followers of Yousaf, accused, were sitting outside the room and they congratulated him on his physical meeting with the Holy Prophet (Peace Be Upon Him) as Yousaf, accused, had been

talking in a meeting with the Holy Prophet (Peace Be Upon Him) and thereafter on pretext of purchasing a house, Yousaf, accused, demanded an amount of rupees fifty lac, he paid to Yousaf, accused in this way twenty four lac through Banks and rest of the amount was arranged from the friends. He produced some documents with regard to payments made by him, the purchase of Air-Conditioner, Carpet and conversion of dolalrs into Pakistan Currency for makfing the payment to Yousaf, accused. This witness also brought the diary of Yousaf, accused, which consisted of P-8(1-116) and while handing over this diary, Yousaf, accused, said that after reading this diary he would rely on Yousaf, accused and that when once he attended a 'Mehfil of Naat Khwani' Yousaf, accused, said that the person for whom he was going to attend the 'Naat' was sitting there for whom else he was going to attend the 'Majlis of Naat Khawani'. It looked in each 'Mehfil that Yousaf, accused, was posing himself 'Muhammad' in such a way as if he was claiming to be the Holy Prophet (Peace Be Upon Him) and thereafter Yousaf, accused, called the meeting of the World Assembly in the mosque 'Baitul Raza', and he received Invitation Card Mark 'II' from the Administration of Magazine known as 'Takbeer' and when he attended the Assembly in the mosque 'Baitul Raza' on 28-2-1997, where Audio and Video Cassettes were prepared, Yousaf, accused, introduced his 100 'Sahabi' in attendance in the mosque, he introduced Abdul Wahid and Zaid Zaman as his 'Sahabi' and they also delivered there speeches to some extent and while delivering the speech Yousaf, accused, explained as to why he selected mosque 'Baitul Raza' for the World Assembly and why he did not select 'Masjid-e-Nabwi' and why not 'Masjid-e-Haraam' and he selected the mosque 'Baitul Raza' and he explained that it was happening in the same manner as 'Ghar-e-Hira' was selected by Allah Almighty. Yousaf, accused, stated that some Surat, some Ayat, even Quran is present here and further said that Hazoor (Peace Be Upon Him) is not on duty but it is his 'Atta' that a 'Rasool' is addressing you and thereafter Yousaf, accused, got himself introduced and said that if the Holy Prophet (Peace Be Upon Him) accepted the service of any body he was Abubakar and his name is 'Mohammad Ali Abubakar' and when he was sitting in third or fourth row, he was brought therefrom and introduced in the assembly while bringing him near

the pulpit in the way that he served Yousaf, accused, and first he was 'Abubakar' and now he was 'Mohammad Ali Abubakar and when he was called as 'Abubakar, it meant that I was 'Sahabi, however, after attending the marriage, he came back to Karachi and he consulted the Ulma. This witness also faced lengthy corss-examination on different aspects including the payment of money and the diary P - 8(1-116). If cross-examination on him is perused carefully, it would look that nothing could be brought out except that one FIR of embezzlement was recorded against him by the firm where he was working. Mere recording of one FIR, which is without trial and without consequence carries no importance to shake the testimony of a witness. So far as the diary, as mentioned above, is concerned, it is not the case of prosecution that it was written by the accused. So any objection on this diary was baseless. The purpose of producing this diary was to show the tendency of the accused and to convince his followers to believe that he is Holy Prophet (Peace Be Upon Him) and in my view to reflect on this object of Yousaf, accused, oral statement of Mohammad Ali Abubakar, Video and Audio Cassettes are sufficient. This witness is not proved to be inimical towards the accused. So his statement shall be relied.

60. Mian Ghaffar Ahmed (PW-9) is a witness of recovery memo (Exh.PD) as a consequence of which diary (P-3/1-22) Audio Cassette (P-1) and Video Cassette (P-5) were taken into possession by Riaz Ahmed, S.I. He had further joined the investigation of this case and his being Resident Editor collected material out of 'Takbeer' Magazine against Yousaf, accused, to had claimed to be 'Anna Mohammad (Peace Be Upon Him) which means that he was 'Muhammad' (Peace Be Upon Him) and he came to know out of 'Takbeer' Magazine that Yousaf, accused, is claiming himself as 'Prophet'; as a consequence of which he contacted Yousaf, accused, on telephone on 21-3-1997 and he met Yousaf, accused, in his house on 22-3-1997 and prior to meeting he had seen the Video Cassette and also heard the Audio Cassette and gone through the pages of the diary. He stated that Yousaf, accused, stated, during conversation, that he has been awarded 'Khilafat-e-Uzma from Allah Almighty and he asked to elaborate the word 'Khilafat-e-Uzma, Yousaf, accused, inquired about his education and he replied that he has obtained Master Degree in Mass-Communication, on which he said that this is

worldly education and he should inform about religious education, on which he said that he has read the Holy Quran, on which he explained the meaning of word 'Khilafat-e-Uzma' and said that first of all 'Khilafat-e-Uzma' was awarded to Hazrat Adam Alhe Salam, then it continued to all the Prophets and then went to Holy prophet (Peace Be Upon Him) and this sequence is in continuation and now 'Khilafat-e-Uzma' is with him awarded by Allah Almighty. This witness came to know that Yousaf, accused had graded some ladies belonging to Lahore and Karachi as 'Azdwaj-e-Mutahraat' and when he inquired about this fact, Yousaf, accused, stated that he is not sextally fit and when he was awarded 'Khilafat-e-Uzma' the element of sex in him was finished and when this power was finished he was about 41 and Yousaf, accused, further told that this happened on 9th of Rabiul Awwal and told that his date of birth is also that of 9th Rabiul Awwal; that he was awarded with 'Khilafat-e-Uzma' and when he repeated his questions about 'Azdwaj-e-Mutahrrat' he brought a book title of which was 'Mard-e-Kamil', but he demanded the direct answer of his question and he replied that he never met to these ladies, however, those ladies might have met him and he did not negate them; therefore, they are correct in their own version and I am correct in my own version and when I required some explanation, he stated that Allah Almighty appears in the world in the shape of such like noble persons and it is with the discretion of Allah Almighty that he comes in the world in the face of Hazrat Datta Ganj Bakhsh or in the shape of Hazrat Baba Farid Shakar Ganj or in the shape of Holy Prophet (Peace Be Upon Him) or in the shape of himself and when this conversation was in between this witness and Yousaf, accused, he had been publishing this conversation in daily 'Khabrain' Lahore and he told this fact to the police in his statement. The perusal of statement of this witness would show that his statement finds corroboration from the document Exh.DI, brought on the record by the accused himself, wherein he claims to have been awarded 'Khilafat-e-Uzma' to him by the Holy Prophet (Peace Be Upon Him). So in this situation, there remains nothing to discuss the cross-examination on this witness. The entire statement of this witness, as discussed above, or the witnesses in detail, as reproduced earlier, is wroth

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reliance and it established this fact that the accused posed for himself, which he could not as being a layman.

61. Waqar-ul-Hassan is (PW-10) SI, who was given Audio Cassette for dictation and after hearing the Audio Cassettes twice, he took the rough notes and after preparing the second print of the dictation he handed over the same to Riaz Ahmed, S.I. This witness was also cross-examined by the learned defence counsel. But it should be mentioned here that since after comparison the Audio Cassette has been proved to be that of Yousaf, accused, then it makes no difference if after dictation the Cassette was returned as unsealed or that the order of the court was not obtained because at that moment this case was at the stage of investigation. This witness was re-examined by the learned District Attorney and at this moment he stated that he was asked for dictation of Video Cassette but he returned the Video Cassette with these remarks that he is only expert in the dictation of Audio Cassette.

62. Mohammad Sarwar (PW11) stated that he composed the Audio and Video Cassettes, brought by the police to him.

63. Sajid Munir Dar (PW-12) also stated that Yousaf, accused, offered him to have meeting with the Holy Prophet (Peace Be Upon Him) as so long he has meeting with the Holy Prophet (Peace Be Upon Him) he would not die. Moreover, in case of meeting all his sins shall be forgiven and that he shall not enter in the Hell and that he shall go in 'Jannat', as a consequence of which Yousaf, accused, asked him to hand over the golden chain and ring, which he gave to Yousaf, accused and Yousaf, accused invited him in his house on the next day and when he went to the house of Yousaf, accused, alongwith his friend Sohail Zia in the evening time, Yousaf, accused, had established a special 'Hujra' in his house where he took him alone while many other persons were sitting in the main Drawing Room and while being in the 'Hujra' Yousaf, accused, said that 'I am lucky as he was going to meet with the Holy Prophet (Peace Be Upon Him) and thereafter he said that he was the 'Muhammad' and thereafter he embraced him. He stated that according to him 'Muhammad' means that he is the Holy Prophet (Peace Be Upon Him) and this claim was made by Yousaf, accused and later on he came to know that many such

incidents had happened with other people in Karachi, particularly with Rana Akram . If the statement of this witness is perused, it would look that he has no enmity with Yousaf, accused, and at the most it was suggested to him that he appeared as witness at the instance of Rana Akram (PW) but he was not suggested specifically on the statement which is against Yousaf, accused, and it tantamounts to admission of the facts deposed by this witness.

64. Riaz Ahmed, (PW-13) is Investigation Officer of this case. The investigation conducted by him has already been discussed above. During cross-examination, when he was having some claim about voice of Yousaf, accused, on the direction of learned defence counsel, this witness brought on record a portion of the speech of Yousaf, accused, which means that now this witness was not simply an Investigating Officer but also the spectator of the Audio Cassette and in this way his statement carries much importance. He was also cross-examined by the learned defence counsel but nothing could come out to disbelieve the prosecution version.

65. Similarly, Khushi Mohammad, S.I (PW-14) is the Investigating Officer of this case. The investigation conducted by him has already been discussed above. He also faced lengthy cross-examination but nothing could come out to shatter the prosecution case except that minor contradictions, which are not fatal for the prosecution case.

66. As a consequence of analyses of the oral as well as the documentary evidence of the prosecution, as discussed above, it is established that the prosecution has successfully proved its case against the accused.

67. Earlier by analyzing the statements of accused and some evidence the personality of the accused was discussed. Now the question worth examination is that as to what is his defence version. His defence version is that he has not claimed as Prophet for him but have a claim of 'Khilafat-e-Uzma' awarded by the Holy Prophet (Peace Be Upon Him) through document Exh.DL, which he received 40 days earlier during the trial. The question for determination is that what is the evidence to believe that he has been actually awarded the 'Khilafat-e-Uzma'. There is no such evidence on the record and infact this document further corroborates the statement of Mian Abdul Ghaffar (PW-9) before

whom Yousaf, accused, also claimed to have 'Khilafat-e-Uzma' awarded by Allah Almighty. So his defence version is after thought and particularly after reading the Books, as mentioned above, so that his skin could be saved and infact it was another effort on his part to divert the attention of the general public.

68. Yousaf, accused, produced documents from Exh.DA to Exh.DJJ, except DNX (this document was not produced but inadvertently number was mentioned in the statement) But in my view these documents are not sufficient to negate the prosecution case because the allegation against the accused is that of defiling the sacred name of Holy Prophet (Peace Be Upon Him) for calling his followers as 'Sahab-e-Rasool, his family members as 'Ahle Bayat' and using insulting language about Holy Quran, making statements for having meeting of the general public with the Holy Prophet (Peace Be Upon Him) to assure the general public that if his order is not followed, the person may go to Hell and grabbing money from the prosecution witnesses by exploiting their religious feelings and that of criminal breach of trust. However, there is no convincing evidence on the allegation of zina.

69. In view of discussion above, I have come to the conclusion that the prosecution has proved the charges against Yousaf, accused, under Sections 295-C, 295-A, 298, 298-A, 505 Part-II, 508, 420 and 406 PPC beyond any show of doubt. There is no question of taking any sort of lenient view because the accused is proved to be 'KAFIR' and 'MURTI'D' or any sort of 'Tauba' in such affair cannot be entertained.

70. Therefore, Yousaf, accused, is convicted and sentenced as under:-

i) U/S 295-C PPC

Convicted and sentenced to death and a fine Rs.5000/- and in default thereof to undergo further imprisonment for six months. He shall be hanged by his neck till he is dead. The sentence of death is subject to confirmation of Hon'ble Lahore High Court, Lahore and a reference in this regard shall be sent immediately.

سیشن جج لاہور

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ii) U/S 295-A PPC

Convicted and sentenced to imprisonment for ten years R.I. and a fine of Rs.50,000/- and in default thereof to further under imprisonment for six months.

iii) U/S 298 PPC

Convicted and sentenced to imprisonment for one year R.I and a fine of Rs.10,000/- and in default thereof to further undergo imprisonment for one month.

iv) U/S 298-A PPC

Convicted and sentenced to imprisonment for three years R.I and a fine of Rs.20,000/- and in default thereof to further undergo imprisonment for two months.

v) U/S 505(2) PPC.

Convicted and sentenced to imprisonment for seven years R.I and a fine of Rs.30,000/- and in default thereof to further under imprisonment for three months.

vi) U/S 420 PPC

Convicted and sentenced to imprisonment for seven years R.I and a fine of Rs.20,000/- and in default thereof to further undergo imprisonment for two months.

vii) U/S 406 PPC.

Convicted and sentenced to imprisonment for seven years R.I and a fine of Rs.20,000/- and in default thereof to further undergo imprisonment for two months.

All the sentences, as mentioned above, shall run consecutively because in case of 'MURTAD' the court has got no circumstance for any sort of lenient view nor it is permitted in Islam. The accused shall not be given the benefit of Section 382-B Cr.P/c.

9/8/2000

71. The case property, consisting of Audio & Video Cassettes, Diaries and the Video Cassette produced by the accused Mark "J" shall be disposed of in accordance with rules after the decision of appeal or revision, if any.

72. Copy of this judgment shall be provided to the accused, free of costs, when he applies in this connection and he has been informed that he can file the appeal within seven days thereafter.

File shall be consigned to Record Room immediately after its completion.

ANNOUNCED
05-8-2000.

SESSIONS JUDGE,
LAHORE.

It is certified that this judgment comprising One Hundred and Eighty Three pages. Each page has been dictated, read, corrected and signed by me. It may be mentioned here that page No. 107 is non-existence.

05-8-2000
KHAN.

SESSIONS JUDGE,
LAHORE.



ADVISED TO BE TRUE COPY.

Assistant Superintendent,
Office of the District & Sessions Judge,
Lahore, authorized under Article 97
of the Constitution of Pakistan 1973 9/8/2000